

URBAN MUNICIPAL

CA4 ON HBL AOS

A31

1993

AGENDAS OF THE  
MEETINGS OF THE CITY  
OF HAMILTON

JUNE 29, 1993-







URBAN/MUNICIPAL

CA4 ON HBL AOS  
A31

1993



**MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1993 June 29  
7:30 o'clock p.m.  
Council Chambers, City Hall**

**J. J. Schatz  
City Clerk**

**AGENDA**

**1. National Anthem**

**2. Opening Prayer**

**Father A. J. Smith  
St. Patrick's Roman Catholic Church**

**3. Presentations**

**(a) Budget Award from the Government Finance Officers Association of the United States and Canada**

**(b) Certificates of Recognition**

**i. Christine McFarlane, President of Regal Cruises and Travel**

**ii. Bud Hubbard for serving on Hamilton Farmer's Market Sub-Committee**

**(c) Robert Van Kleef Taxi Industry Professional Awards Trophy and Certificates of Recognition**

URBAN MUNICIPAL  
JUN 1993  
GOVERNMENT DOCUMENTS





**4. Minutes**

1993 May 25

**5. Petitions and Correspondence**

**6. Reports of the Standing Committees**

- (a) Transport and Environment Committee
- (b) Parks and Recreation Committee
- (c) Planning and Development Committee
- (e) Licensing Committee
- (h) Finance and Administration Committee
- (i) Nominating Committee

**7. Notices of Motion for Next Meeting**

**8. First Reading of the Bills**

**9. Second Reading of the Bills - Committee of the Whole**

**10. Third Reading of the Bills**

**11. Question Period**

**12. Adjournment.**















Minutes of Hamilton City Council  
1993 May 25  
7:30 o'clock p.m.  
Council Chambers, City Hall

The Council met:

Present: Mayor Robert M. Morrow  
Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson,  
Agostino, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico.

Absent: Alderman T. Jackson - vacation

Mayor R. M. Morrow called the meeting to order.

\* \* \* \* \*

The National Anthem was played.

\* \* \* \* \*

Reverend David Shepherd, Bethel Gospel Tabernacle led Council in Prayer.

\* \* \* \* \*

Mr. Ray Harris, President, Hamilton Downtown Business Improvement Area presented Mayor R. Morrow with the first T-Shirt respecting the Restoration of the Gore Park fountain.

\* \* \* \* \*

Mayor Morrow proclaimed the following:

- (a) "Hamilton-Wentworth Access Awareness Week" - 1993 May 31st to 1993 June 4th
- (b) "Royal Canadian Airforce (Women's Division) Week" - 1993 June 7th-13th
- (c) "The Argyll and Sutherland Highlanders of Canada (Princess Louise's) Week - 1993  
May 31st to 1993 June 4th
- (d) "Fitness Week" 1993 May 28th to 1993 June 6th"

\* \* \* \* \*



The minutes of the Regular meeting of 1993 May 11 were adopted as circulated.

<p><b>CORRESPONDENCE</b></p>
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1. Application dated 1993 May 18 from Diana Marie Hubbard and Edith Held, 48 Terrace Drive, Dundas, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District for property located at No. 1367 Upper James Street, Hamilton, Ontario.

**Recommendation: Received.**

2. Application dated 1993 May 18 from Latco (1986) Developments Limited, Yonge-Eglinton Centre, 20 Eglinton Avenue West, Toronto, Ontario for a further modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations for property located at No. 85 Robinson Street (Thistle Club), Hamilton, Ontario.

**Recommendation: Received.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be now considered in Committee of the Whole with Alderman Ross in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**

**TRANSPORT AND ENVIRONMENT COMMITTEE - SEVENTH REPORT**

**Section 1 Re: Highridge South - Phase 1**

Alderman D'Amico declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman D'Amico's father is the mortgagor for the Developer of Highridge South - Phase 1.

**PARKS AND RECREATION COMMITTEE - TENTH REPORT**

**Section 19 Re: Purchase Order - W. H. Reynolds (Cambridge) Ltd. - Transportable Mobile Bleachers for Mohawk Sports Park**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross.  
- 15.

**NAYS:** Alderman Copps. -1.

**CARRIED.**

\* \* \* \* \*



**Section 23 Re: Termination of Lease - A. and G. Centurami - 108 Montmorency Drive**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

**NAYS:** Alderman Agostino. -1.

**CARRIED.**

\* \* \* \* \*

**Section 29 Re: Contract - Dundurn Castle**

It was moved by Alderman Copps and seconded by Alderman Morelli that the following be added as Section 29 of the TENTH Report for 1993 of the Parks and Recreation Committee:

29. (a) That approval be given to enter into a contract with Clifford Restoration Limited, Scarborough in the amount of \$1,094,714. for the restoration of Dundurn Castle being the only acceptable bid received in accordance with specifications issued by Manager of Purchasing and Vendor's tender and be financed through Dundurn Castle Restoration Account CF719141002.
- (b) That approval be given to enter into a contract with Clifford Restoration Limited, Scarborough in the amount of \$379,481. for the restoration of the Cockpit Structure being the lower of two acceptable bids in accordance with specifications issued by Manager of Purchasing and Vendor's tender and be financed through Dundurn Cockpit Restoration Account CF719141008.
- (c) That approval be given to enter into a contract with Colonial Building Restoration Scarborough in the amount of \$552,548. for the restoration of Whitehern being the lowest of three bids in accordance with specifications issued by Manager of Purchasing and vendor's tender and be financed through Whitehern Restoration Account CF719141007.

- (d) That contracts be entered into between the City and Clifford Restoration Limited of Scarborough for the restoration of Dundurn Castle and the Cockpit Structure and Colonial Building Restoration of Scarborough for the restoration of Whitehern.
- (e) That the Mayor and the City Clerk execute the contracts on behalf of the City.
- (f) That the original contract entered into with Taylor/Hazell Architect for consultant work for Dundurn and Cockpit Structures in the amount of \$63,765.25 which was originally approved by Council 1992 May 12, in adopting Item 9 of the Ninth report of the Parks and Recreation Committee Report be increased to \$133,750.
- (g) That the original contract entered into with Taylor/Hazell Architect for consultant work for Whitehern in the amount of \$37,017.50 which was originally approved by Council 1992 May 12, in adopting Item 10 of the Ninth report of the Parks and Recreation Committee Report be increased to \$43,220. **CARRIED.**

\* \* \* \* \*

### **Section 30 Re: Hamilton Tennis Clubhouse Project**

It was moved by Alderman Copps and seconded by Alderman Morelli that the following be added as Section 30 of the TENTH Report for 1993 of the Parks and Recreation Committee:

- 30. That staff advise the Guarantee Company of North America, Bonding Company of Memphis Kendall Builders Inc. with respect to the Hamilton Tennis Clubhouse Project, that they have one week to reply in writing of their intentions to retender the project failing which the following action shall be taken:
  - (a) The Contract with Memphis Kendall Builders Inc. shall be terminated; and,
  - (b) Staff be directed to retender the project and enforce the security provisions. **CARRIED.**



**PLANNING AND DEVELOPMENT COMMITTEE - TENTH REPORT**

**Section 3 Re: Offer to Purchase - 1632 Upper Ottawa Street**

It was moved by Alderman Drury and seconded by Alderman Eisenberger that Section 3 of the Tenth Report of the Planning and Development Committee for 1993 be amended by adding sub-sections "(c)" and "(d)" as follows:

- (c) That this transaction includes special building covenants, agreements and restrictions, which are set out in Appendix "C".
- (d) That the purchaser, Giacomo Angelini, be granted an Authority to enter on the subject lands being the north half of Part 1 and all of Part 5 on Plan 62R-8770, known as 1632 Upper Ottawa Street, for the purpose of soil tests and preliminary site preparation."

**CARRIED.**

**FINANCE AND ADMINISTRATION COMMITTEE - TWELFTH REPORT**

**Section 19 Re: Change in Members to Conduct Hearing for City's Adult Video By-law 93-045**

It was moved by Alderman Agostino and seconded by Alderman D'Amico that Section 19 of the Twelfth Report for 1993 of the Finance and Administration Committee be amended to delete the name "Alderman D. Agostino" and insert in lieu thereof the name "Mayor R. M. Morrow".

**CARRIED.**

\* \* \* \* \*

**Section 1 Re: Highridge South - Phase 1**

Alderman D'Amico declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman D'Amico's father is the mortgagor for the Developer of Highridge Estates.

\* \* \* \* \*

**Section 21 Re: Highridge South - Phase 1 - Financing**

It was moved by Alderman Charters and seconded by Alderman Anderson that the following be added as Section 21 of the TWELFTH Report for 1993 of the Finance and Administration Committee:

21. That the City's share of "Highridge South - Phase 1" Servicing, as referred to in Section 1 of the SEVENTH Report for 1993 of the Transport and Environment Committee, at a cost of \$229,738.07, be financed from Centre No. CH 00107 - "Reserve for Services through Unsubdivided Lands. **CARRIED.**

**ACTING MAYOR**

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman D. Wilson be appointed Acting Mayor for the month of June, 1993. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.



Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, D'Amico, Ross. -13.

NAYS: -0.

**CARRIED.**

<b>ADOPTION OF BILLS</b>
--------------------------

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

C-42, C-44, C-45, C-46, C-47.  
H-40, H-41, H-42.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, D'Amico, Ross. -13.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Ross in the chair. (second reading).

C-42, C-44, C-45, C-46, C-47.  
H-40, H-41, H-42.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, D'Amico, Ross. -13.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**Consideration of the Bills (second reading).**

\* \* \* \* \*

It was moved by Alderman Cooke seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

C-42, C-44, C-45, C-46, C-47.  
H-40, H-41, H-42.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

C-42, C-44, C-45, C-46, C-47.  
H-40, H-41, H-42.



1993 May 25

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, D'Amico, Ross. -13.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

City Council then adjourned at 8:45 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

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Mayor R. M. Morrow

S. G. Hollowell, Acting Clerk  
1993 May 25

**CORRESPONDENCE**





1. Application dated 1993 May 20 from 304 Victoria Avenue North Holdings Ltd., Hamilton, Ontario for a further modification to the "H" (Community Shopping and Commercial, etc.) District regulations for property located at No. 304 Victoria Avenue North, Hamilton, Ontario.

**Recommendation: Be Received.**

2. Application dated 1993 May 31 from Dr. Steve Marcogliese, Hamilton, Ontario for a modification to the established "C" (Urban Protected Residential, etc.) District regulations for property at No. 792 Upper Gage Avenue, Hamilton, Ontario.

**Recommendation: Be Received.**

3. Application dated 1993 June 8 from Mr. and Mrs. Mike Trikas, Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District, modified to "G-4" (Designed Neighbourhood Shopping Area) modified for property located at Nos. 952-954 Concession Street, Hamilton, Ontario.

**Recommendation: Be Received.**

4. Application dated 1993 June 10 from Antonietta Mastroianni, Frank Mastroianni, Olimpia Cavoto, Diodoro Cavoto for a change in zoning from "AA" (Agricultural) District modified to "R-4" (Small Lot Single-Family Detached) District for lands located at the rear of No. 1462 Upper Sherman Avenue, Hamilton, Ontario.

**Recommendation: Be Received.**

5. Application dated 1993 June 15 from Christian Home Association of Mount Hamilton for a change in zoning from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District modified for lands located at part of No. 1411 Upper Wellington Street, Hamilton, Ontario.

**Recommendation: Be Received.**

6. Application dated 1993 June 23 from Don Newman c/o Newman Developments, Oakville, Ontario for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District modified for property located at No. 145 MacNab Street North, Hamilton, Ontario.

**Recommendation: Be Received.**



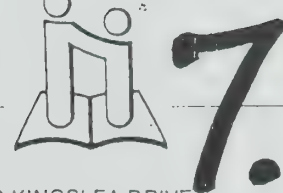
7. Petition dated May, 1993 from Huntington Park School Staff re: Blue Moon Video, Upper Gage Avenue.

**Recommendation: Be Received.**

8. Letter dated 1993 June 17 from Nick DeFilippis requesting reconsideration of Section 10 of the Ninth Report of the Planning and Development Committee for 1993 with respect to the rezoning of 29 Severn Street, Hamilton which was adopted by City Council 1993 May 11.

**Recommendation: Be Referred to the Planning and Development Committee**

# HUNTINGTON PARK PUBLIC SCHOOL



OFFICE OF THE CITY CLERK

JUN 08 1993

REC. BY *[Signature]* DATE  
REF'D. TO DATE  
REF'D. TO DATE  
REF'D. TO DATE

80 KINGSLEA DRIVE  
HAMILTON, ONTARIO  
L8T 4A5  
TELEPHONE: (416) 383-3305

May, 1993

ACTION: *per. C.C.*

To Whom It May Concern:

It has been brought to our attention that an adult video store is, if not already in operation, in the process of establishing itself in our school community. The video store in question is "The Blue Moon" on Upper Gage. It is also our understanding that a decision to allow this business to remain at its present location has not been finalized. When weighing the pros and cons in the decision making process, we request that you bear in mind the painful fact that violence and abusive behaviour are a major societal concern and that we, as adults who work with and are trusted by children, cannot be forceful enough in our disapproval of this business in our community.

We realize that the owners have met their obligation under the law. However, our concern is the type of clientele which would be attracted to this business and consequently to a community which is home to many elementary and secondary schools. Need you be reminded of the shocking headlines of the past years and some of the childrens' names? Think about these children, think about your own children and the children in our schools. Do they not have the right to a secure safe environment?

We ask you to consider the rights of the community over the rights of the individual - the owner of the Blue Moon Video Store. We ask you to remove this business from our community - it should not be permitted in any community.

Sincerely,

Huntington Park School Staff

*Radigan*  
*Sellar*  
*Karen Cosier*  
*Jean Speer*  
*Edeltraut Tomorad*  
*J. Sany*  
*Jackie Nawrody*  
*Gina Morrell*  
*William Hough*  
*Dorice L. Libman*  
*Luba Kadke*

*Eileen Collins*  
*Linda C. Pearce*  
*Heather Greenleaf*  
*Neil D. Smith*  
*Patti McMaster*  
*Diane Bolton*  
*Janice Courtemanche*  
*Paul Byrnie*  
*Barbara Greenlee*  
*Lila Evenden*  
*Evelyn Zuehl*  
*James*





1993 June 29

## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **EIGHTH** Report for 1993 and respectfully recommends:

1. (a) That the existing by-law entry allowing for the implementation of an "Alternate Side Parking" regulation on West 1st Street between McElroy Road West and Wembley Road be rescinded; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
2. (a) That the by-law entry allowing for the implementation of a "Permit Parking" regulation on the west side of Erin Avenue which commences at a point 45 feet south of Montrose Avenue and extends to a point 34 feet southerly therefrom be rescinded; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
3. (a) That the existing "Alternate Side Parking" regulation on Douglas Street between Shaw Street and Burton Street be replaced with a "No Parking" regulation on the west side and a "Permit Parking" regulation on the east side of the street; and  
(b) That the Director of Traffic Services be authorized to issue one parking permit to each of the first six applicants residing in the block, and any additional permits (to a maximum of six) on a first come first served basis; and  
(c) That the City Traffic By-law No. 89-72 be amended accordingly.



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4. (a) That a "Three Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented on the east side of East 42nd Street between Ninth Avenue and Tenth Avenue; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
5. (a) That a "One Hour Parking Time Limit, 9:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the north side of Beaverton Drive between Upper Sherman Avenue and Acadia Drive; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
6. (a) That the existing 137 foot "No Parking" regulation on the north side of Glen Forest Drive, east of Glen Castle Drive be extended, such that the regulation commences at Glen Castle Drive and extends to a point 172 feet easterly therefrom; and  
(b) That the existing "Alternate Side Parking" regulation on the south side of Glen Forest Drive be shortened, such that the regulation commences 190 feet east side of Glen Castle Drive and extends to Kingswood Drive; and  
(c) That the City Traffic By-law No. 89-72 be amended accordingly.
7. (a) That a "One Hour Parking Time Limit, 8:00 a.m to 6:00 p.m., seven days a week" regulation be implemented on the west side of East 27th Street between Fennell Avenue East and the extended south curb line of MacKenzie Road; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
8. (a) That, in conjunction with the existing "Alternate Side Parking" regulation, a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of West 1st Street between Monarch Road and Wembley Road; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.

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9.     (a)     That a "Permit Parking" regulation be implemented on the west side of West 3rd Street between Monarch Road and Wembley Road; and
- (b)     That the Director of Traffic Services be authorized to issue a maximum of 14 parking permits in accordance with the requirements for permits indicated on the petition.
- (c)     That the City Traffic By-law No. 89-72 be amended accordingly.
10.    (a)     That a "Two Hour Parking Time Limit, 9:00 a.m. to 4:00 p.m. Monday to Friday" regulation be implemented on the east side of Laurier Drive between Delmar Drive and South Bend Road West; and
- (b)     That the City Traffic Department By-law No. 89-72 be amended accordingly.
11.    (a)     That a "Two Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented on the west side of Ray Street North between Peter Street and Napier Street; and
- (b)     That the City Traffic By-law No. 89-72 be amended accordingly.
12.    (a)     That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the south side of Robert Street commencing at Cathcart Street and extending to a point 137 feet easterly therefrom; and
- (b)     That the City Traffic By-law No. 89-72 be amended accordingly.
13.    (a)     That a "No Parking" regulation be implemented on the south side of Albright Road commencing at a point 130 feet east of Mt. Albion Road and extending to a point 90 feet easterly therefrom; and
- (b)     That the City Traffic By-law No. 89-72 be amended accordingly.

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14. (a) That a "Permit Parking" regulation be implemented on the north side of Ferrie Street East commencing at a point 224 feet west of Ferguson Avenue North and extending to a point 23 feet westerly therefrom; and  
(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Samuel Cipolla, 159 Ferrie Street East; and  
(c) That the City Traffic By-law No. 89-72 be amended accordingly.
15. (a) That a "Permit Parking" regulation be implemented on the west side of Garfield Avenue North commencing at a point 46 feet south of the north end and extending to a point 21 feet southerly therefrom; and  
(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Vittorio Borreggine, 35 Garfield Avenue North; and  
(c) That the City Traffic By-law No. 89-72 be amended accordingly.
16. (a) That the existing "Permit Parking" regulation on the west side of San Remo Drive which commences 98 feet south of San Francisco Avenue and extends to a point 20 feet southerly therefrom, be removed; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
17. (a) That a "Permit Parking" regulation be implemented on the west side of Lyndhurst Street commencing at a point 51 feet north of the south end of the sidewalk and extending to a point 23 feet northerly therefrom; and  
(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. John Day, No. 5 Lyndhurst Street; and  
(c) That the City Traffic By-law No. 89-72 be amended accordingly.
18. (a) That the existing "Permit Parking" regulation on the east side of Grant Avenue commencing at a point 99 feet south of Delaware Avenue and extending to a point 22 feet easterly therefrom be removed; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.



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19. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the south side of Market Street commencing at Queen Street North and extending to a point 93 feet westerly therefrom; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
20. (a) That the existing "No Stopping" regulation on the south side of Harrison Avenue commencing at Harmony Avenue and extending to a point 59 feet easterly therefrom, be removed; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
21. (a) That the direction of stop control at the intersection of Leland Street and Ward Avenue be switched, such that northbound and southbound traffic on Leland Street would be required to stop for eastbound and westbound traffic on Ward Avenue; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
22. (a) That northbound traffic on Stanlow Crescent be required to stop for eastbound and westbound traffic on Cranbrook Drive; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
23. (a) That three-way stop control be implemented at the intersection of Donn Avenue and Highridge Avenue; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
24. (a) That westbound traffic on Golfcrest Road be required to stop for northbound and southbound traffic on Glen Forest Drive; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.

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25. (a) That northbound traffic on Blackthorne Avenue be required to stop for eastbound and westbound traffic on Fieldway Drive; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
26. (a) That westbound traffic on Essling Avenue be required to stop for northbound and southbound traffic on Bridgade Drive; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
27. (a) That a "No Stopping" regulation be implemented on the south side of Lawnhurst Drive commencing at Lawnview Drive and extending to a point 120 feet easterly therefrom; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
28. (a) That a "No Stopping" regulation be implemented on the west side of Essling Avenue commencing at Borodino Court and extending to a point 127 feet southerly therefrom; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
29. (a) That northbound traffic on Fiona Crescent be required to stop eastbound and westbound traffic on Fiona Crescent/Joseph Court; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
30. (a) That four-way stop control be implemented at the intersection of Dromore Crescent and Paisley Avenue North; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
31. (a) That a "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 10:00 p.m., seven days a week" regulation be implemented on the west side of Strathearne Avenue commencing at a point 212 feet south of the north end and extending to a point 22 feet southerly therefrom; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.

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32. (a) That a "No Stopping, Wheelchair Loading Only, 9:00 a.m. to 11:00 p.m., seven days a week" regulation be implemented on the west side of East 23rd Street commencing at a point 250 feet south of Concession Street and extending to a point 26 feet southerly therefrom; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
33. That the School Crossing Guard service be discontinued during the lunch hour period at the intersection of Emerson Street and Sussex Street.
34. (a) That the action of the Director of Traffic Services in temporarily assigning a School Crossing Guard to the intersection of Kingfisher Drive and Heron Place/Sparrow Court during construction activities be confirmed; and  
(b) That the Temporary School Crossing Guard be removed at the time when Limeridge Road is re-opened and conditions return to normal.
35. That the School Crossing Guard at Main Street East and Walter Avenue be removed.
36. (a) That the Gibson Neighbourhood be designated as a Neighbourhood Watch Area; and  
(b) That Neighbourhood Watch signs for the Gibson Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and  
(c) That \$1,111. of the necessary funds be charged to Account No. CH55301 75030 (Neighbourhood Watch Program), and the balance of \$333.50 be charged to Account No. CH56103 76420.



37. That the following sections of the City Traffic By-law No. 89-72 concerning parking meters be amended as follows:
- (a) Section 28(1) - to include the definition of a "dollar coin" (loonie) and to delete the definitions of a "nickel" and a "dime"; and
  - (b) Section 30(5) - to provide that nothing except quarters and dollar coins may be deposited in any on-street parking meters.

38. That in accordance with the request by the Hamilton Street Railway Company the following bus stops be established:

Route 35 College

- |              |  |
|--------------|--|
| Eastbound -  | Chester Avenue, south side, 131 feet west of the centre line of Annabelle Street (N/S),      |
| Eastbound -  | Chester Avenue, south side, 83 feet west of the centre line of West 5th Street (N/S),        |
| Northbound - | Chesley Street, east side, 259 feet north of the centre line of Harbottle Court (M/B),       |
| Northbound - | Chesley Street, east side, 89 feet north of the centre line of Stone Church Road West (F/S). |

39. That Section 40(j) of City Traffic By-law No. 89-72 be amended to provide for an extension of "No Stopping" clearances at traffic signals from 200 feet to 250 feet without requiring specific entries in the By-law.

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40. That the application of Mohawk College of Applied Arts and Technology to lease a portion of the boulevard of Bristol Street adjacent to No. 22 Bristol Street be approved, provided that:
- (a) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current annual rate is \$59.57 for the first two spaces and \$29.79 for each additional space up to 10 spaces per year) plus taxes, if any, in addition to the \$10. encroachment insurance charge approved by the City Council on 1984 February 14.
  - (b) the owner pays a one time \$27. registration fee, as approved by the City Council on 1986 January 14.
  - (c) the owner pays a one time \$178.73 processing fee, as approved by the City Council on 1988 January 12.
  - (d) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.
  - (e) the driveway approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
  - (f) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

41. That the application of D. Morrison, agent for the East 34th Street Community Group to temporarily close East 34th Street between Fennell Avenue and Brucedale Avenue on Saturday 1993 July 24, from 3:00 o'clock p.m. to 12:00 midnight to hold a Street Dance, be approved subject to the following conditions:
- (a) That approval from Regional Police Services be received;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.



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42. That the application of M. Temperley, agent for the Hess Village Merchants Association (24 Hess Street South, Hamilton), to temporarily close Hess Street South between King Street and George Street from 6:00 o'clock p.m. on Thursday 1993 July 15, to 11:00 o'clock p.m. on Sunday 1993 July 18, for their annual Jazz Festival, be approved, during the pleasure of City Council provided:
- (a) That the applicant make application to the Region at least eight weeks in advance of that event;
  - (b) That approval from Regional Police Services be received;
  - (c) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (d) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (e) That all barricading be supplied by and at the expense of the applicant;
  - (f) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;
  - (g) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer;
  - (h) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (i) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

43. (a) That upon Registration of the Final Plan of Subdivision for "Rymal Square Estates - Phase 4", in accordance with current City policy, the Treasurer for the City of Hamilton be authorized and directed to financially compensate the Owners, (Rymal Square Developments Inc.), in the amount of \$57,000. for lands in excess of one-half of the road allowance measuring approximately 0.570 acres for the establishment of "Acadia Drive" to its full width of 26.0 metres in accordance with the Approved Neighbourhood Plan for the Butler Neighbourhood.
- (b) That the City's costs for the lands required to establish Acadia Drive as a Public Highway in "Rymal Square Estates - Phase 4", Hamilton of \$57,000. be approved and the Finance and Administration Committee recommend the source of funding for this expenditure.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to prepare the necessary By-laws to provide road access from Regional Road No 153, Rymal Road East, in the City of Hamilton, for Block 58, Rymal Square Estates - Phase 4 and that the By-laws not be registered until full Municipal Services are installed for the extension of Acadia Drive from the south limit of Lot 33, Rymal Square Estates - Phase 4 to Rymal Road east.
- (d) That the City of Hamilton, Property Department be authorized to enter into negotiations with the owner Mr. Vito Sgro in order for the City to acquire the lands in the Eleanor Neighbourhood required to establish Eaglewood Drive as proposed on the Approved Neighbourhood Plan for the Eleanor Neighbourhood.
- (e) That as a condition of purchase by the City, with the current owner of future Eaglewood Drive, a clause be added to the offer of purchase stating, that, the owner of the lands on the north side of future Eaglewood Drive be responsible for one half of all City servicing costs, in order to establish Eaglewood Drive as a Public Highway.
- (f) That the Mayor and City Clerk be authorized and directed to execute all related documents for the above-noted recommendations, subject to the approval of the City Solicitor.

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44. (a) That the submitted schedule of works be adopted for inclusion in the subdivision agreements with the Owners for the estimated cost of services in:

"ALLISON ESTATES - PHASE 1", Hamilton

City's Share - \$142,744.15    Owner's Share - \$58,138.48

"CLAUDETTE GARDENS - PHASE 4", Hamilton

City's Share - \$ NIL                      Owner's Share - \$79,426.17

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed subdivision agreements with the Owners of "Allison Estates - Phase 1", Hamilton and "Claudette Gardens - Phase 4", Hamilton as well as any other related documents for these developments, subject to the approval of the City Solicitor.
- (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plans and Subdivision Agreements have been registered.
- (d) That in the event the Owners wish to proceed prior to registration of the Final Plans and Subdivision Agreements, they should be allowed to do so at their own risk provided they enter into a standard agreement with the City of Hamilton for Pre-Servicing.
- (e) That the City's share for services in "Allison Estates - Phase 1", Hamilton (\$142,744.15) be approved and that the Finance and Administration Committee recommend the source of funding for this project.
- (f) That application be made to the Region for approval to establish Upper Wellington Street on the south side of Rymal Road East to 85 metres southerly as a public road allowance pursuant to Section 48(3) of the Regional Municipality of Hamilton-Wentworth Act.



45. (a) That additional funds totalling \$35,000. required for the completion of municipal services on Fieldway Drive be approved; and
- (b) That the Finance and Administration Committee recommend the source of funding.
46. (a) That the submitted revised schedule of works, submitted by the Developer's Professional Consulting Engineer and approved by the Commissioner of Transportation /Environmental Services be adopted for inclusion in the Subdivision Agreement with the Owners, for the estimated cost of services in EDAN HEIGHTS - PHASE 3, from the north limit of Butler Drive to the south limit of Edan Heights - Phase 3, Hamilton, with the additional works with the City's Share, \$49,696.75, Owner's Share, \$49,696.75 and that the Subdivision Agreement, registered as Instrument No. 342685LT between the City of Hamilton and 603976 Ontario Limited be amended accordingly.
- (b) That the Mayor and City Clerk be authorized and directed to execute all related documents required for this amendment to the existing Subdivision Agreement.
47. That the applications to retain inadvertent encroachments at the locations outlined in Appendix "A", attached hereto, be approved provided:
  - (a) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement the agreements.
  - (c) That the first year fees and subsequent annual fees outlined in Appendix "A" be set for the encroachments.

48. (a) That the following City lands be incorporated into the street in order to complete the final street width or provide access to newly registered subdivision developments:

Crerar Drive	Part 4	Plan 62R-9668
Colin Crescent	Block 30	Plan 62M-724
Ironwood Crescent	Block 25	Plan 62M-539
Lowcrest Avenue	Block 19	Plan 62M-505
Upper Paradise	Part 1	Plan 62R-12388
Cadham Boulevard	Block 149	Plan 62M-639
Ossington Drive	Block 148	Plan 62M-639
Lynnette Drive	Block 21	Plan 62M-719

- (b) That the by-laws to carry out the incorporation of the said lands into the foregoing streets be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
49. (a) That the Director of Public Works be authorized and directed to close the Dundurn Street steps immediately and demolish as required to ensure safety to the public.
- (b) That consideration be given to include the replacement of the steps in the 1994 Capital Budget (presently slated for 1998).

50. That the City Treasurer be directed to close the following Capital Project Accounts with any excess funding to be transferred to its original source of financing.

Capital Centre No.	Project Description	Authorized Gross Cost	Expended/Committed To Date	Balance Available	Source of Financing
528942001	1989 Reconstruction Programme	\$8,200,000	\$7,069,000	\$1,131,000	Capital Levy/ MTO Subsidy
529042001	1990 Reconstruction Programme	\$8,800,000	\$8,477,000	\$323,000	Capital Levy/MTO Subsidy
529142001	1991 Reconstruction Programme	\$6,718,000	\$6,664,000	\$54,000	Capital Levy/ MTO Subsidy

51. (a) That the construction of a finished roadway and concrete curbs on Dulgaren Street from Upper Sherman Avenue to approximately 72 m easterly proceed as a local improvement pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of \$62,300. with a City's share of \$35,350. and Owner's share of \$26,950. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,
- (d) That the Director of Public Works be authorized and directed to remove thirty (30) trees within the road allowance of Dulgaren Street and replace with thirty (30) large caliper trees at a cost of \$14,400.; and,
- (e) That 50% (\$7,200.) of the tree removal and replacement cost be charged to the City's share for this project and 50% be charged to the Region attributable to the installation of sewers on Dulgaren Street; and,
- (f) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.
52. That the 1993 Capital Budget for Road Reconstruction include an amount of \$20,000. for construction of wheelchair ramps to supplement the Current Budget which was approved for \$42,000.
53. (a) That the City of Hamilton enter into a Tenancy Agreement with R. and G. Moore to rent the premises known as 2787 King Street East (Lower), subject to the terms and conditions of the Tenancy Agreement being satisfactory to the City Solicitor.
- (b) That a one-time rental charge of \$25. be charged for the period 1993 May 15 to 1993 May 31, for cleaning and decorating which has agreed to be carried out by the tenant.
- (c) That commencing 1993 June 1, the monthly rent will be \$300. (realty taxes for the entire property is \$2,456.68 for 1993), and rental proceeds to be credited to Account No. CH44104 31106 (City Properties - Rental).
- (d) That the Mayor and City Clerk be authorized to execute the Tenancy Agreement in a form satisfactory to the City Solicitor.



54. (a) That an Offer to Purchase, duly executed by the owners, Gilles Christopher Cinq Mars and Charmaine Simona Van Schaik, on 1993 May 31 and scheduled to close within sixty (60) days of the passing and registration of a by-law to sell the closed alleyway, for the purchase of a portion of land designated as Part 2 on Reference Plan 62R-12021, more particularly described as having a length of 10.058 metres (33 feet) more or less, by a depth of 1.82 metres (6 feet) more or less, and comprising a total area of 18.305 square metres (198 square feet) more or less, being rear land behind municipal address 34 Thorndale Street North, be approved and completed, and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Reserved for Property Purchases).
- (b) That these lands be sold subject to an easement in favour of Bell Canada over Part 2, Plan 62R-12021.
- (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
55. (a) That Eleanor Avenue between Rymal Road East and Alma Street shown as Parts 1 to 6, on Plan 62R-12366, be closed.
- (b) That the by-law to carry out the closure, sale and retention of the said lands be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
56. (a) That Block 43, Plan 62M-575, designated as Parts 1 & 2, on Plan 62R-12594 be closed and retained.
- (b) That the by-law to carry out the closure and retention of the said lands be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
57. (a) That an "All-way Stop Control" be implemented at the intersection of Goulding Avenue and San Pedro Drive.
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

58. (a) That the West Central Branch of the Ontario Ministry of the Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to 912613 Ontario Ltd. receiving a Certificate of Approval to operate a Waste Disposal Site (Processing) located at 1579 Burlington Street East in Hamilton; provided that the following conditions be incorporated within their Certificate of Approval:
- i. The owner/operator of this site is to ensure that all site activities as applicable are in compliance with "The Ontario Fire Code" and "N.F.T.A. 30 Flammable and Combustible Liquids Code";
  - ii. The owner/operator of this site is to ensure that all site activities are in compliance with all regulations enforced by the Fuel Safety Branch of the Ministry of Consumer and Commercial Relations;
  - iii. All new construction or any alterations/renovations to be carried out on site are to be conducted under permit from the City of Hamilton Building Department;
  - iv. The owner/operator of this site is to ensure that a complete and concise inventory of all products stored on site including M.S.D.S. sheets are maintained and are available upon request;
  - v. All environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry of the Environment and Energy and that all applicable City of Hamilton and Regional By-laws are complied with fully;
- (b) That a copy of this report and its attachments be submitted to the West Central Branch of the Ministry of the Environment and Energy for their consideration in the preparation of the Certificate of Approval regulating the operation of the facility proposed by 912613 Ontario Ltd.;
- (c) That the Ministry of the Environment and Energy be requested to forward a copy of the Certificate of Approval upon its completion to the Regional Municipality of Hamilton-Wentworth's Waste Management Division.

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59. (a) That the West Central Branch of the Ministry of the Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to Rondar Inc. carrying out the proposed PCB destruction for Canadian Liquid Air Ltd. at 95 Birmingham Street, Hamilton, Ontario;
- (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the MOEE be waived so that the proposed work can be carried out as scheduled;
- (c) That no specific permits are required for the proposed work.
60. (a) That the West Central Branch of the Ministry of the Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to Rondar Inc. carrying out the proposed PCB destruction for Porritts & Spencer Canada Inc. at 240 Lottridge Street North, Hamilton, Ontario.
- (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the MOEE be waived so that the proposed work can be carried out as scheduled;
- (c) That no specific permits are required for the proposed work.
61. That the application of Wm. Powell, agent for the Hamilton-Wentworth Creative Arts Earthsong Festival (401 Main Street West, Hamilton) to temporarily make Longwood Road between Franklin and the Princess Point entrance one way south and to temporarily close Macklin Street from Dufferin Road to Longwood Road, from Thursday, 1993 July 1 at 12:00 o'clock noon to Sunday, 1993 July 4 at 11:00 o'clock p.m., to hold the annual Earthsong Festival, be approved, subject to the following conditions:
- (a) That approval from Regional Police Services be received;
- (b) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
- (c) That all barricading be supplied by and at the expense of the applicant;



- (d) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Commissioner of Transportation/Environmental Services;
  - (e) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (f) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
62. (a) That the 38 proposed transit shelter locations in the City of Hamilton, as outlined in Appendix "B" attached hereto, as candidate shelter locations for the 1993 Hamilton Street Railway Shelter Program, be approved.
- (b) That the Hamilton Street Railway install 19 shelters at these candidate locations in the priority indicated by the warrant scores and subject to finalizing the necessary encroachment agreements.
- (c) That the remaining candidate shelter locations which do not receive at shelter through the 1993 Hamilton Street Railway Shelter Program be considered for future years.
63. (a) That the following guidelines, for the installation of pedestrian priority signals, be adopted as policy:
- pedestrian priority signals should not be installed closer than 200 metres to another traffic control signal or stop sign on a two-way street or closer than 125 metres to another traffic control signal or stop sign on a one-way street.
  - pedestrian priority signals should not be installed on roadways with posted speed limits in excess of 60 km/h, at least for the duration of the demonstration period.
  - adequate sight distance must be available for both pedestrians and vehicles for the operating speed on the roadway.

- a minimum of 100 pedestrians crossing the main street during the 7 highest hours of the day must be present.
  - fewer than 5,000 vehicles total per day must be present on the intersecting side street approaches; and,
- (b) That school crossing guards at pedestrian priority signal locations be retained for a period not to exceed two weeks after installation of the signals, to ensure that pedestrians using the signal operate the push buttons and understand the signals, following which the crossing guards will be removed.
64. (a) That the Fleet Services Division of the Public Works Department and City Garage of the Treasury Department be amalgamated to become one division in the Fleet Services Division of Public Works
- (b) That the presently vacant Superintendent of Operations position in the Fleet Services Division of Public Works with an annual salary, including benefits of \$75,761. be eliminated and the responsibilities be reassigned to the following:
- i. Supervisor of City Garage
  - ii. Foreman I
  - iii. Administrative Co-ordinator
- (c) That the Supervisor, City Garage of the Treasury Department, Foreman I and Administrative Co-ordinator in the Fleet Services Division of the Public Works Department (annual salaries estimated approximately \$144,638.) be reclassified. (annual salaries estimated at approximately \$158,221.08)
- (d) That the presently filled Garage Attendant position be eliminated, when it becomes vacant, for an annual savings of salary, including benefits and overtime of \$42,268.
- (e) That the presently filled Chauffeur I position be retained to provide chauffeur service to the Corporation as required and that the job description be modified to expand duties related to the maintenance and administration of the car fleet. This will allow the Supervisor of the City Garage to manage the new responsibilities that have been redistributed from the vacant Superintendent of Operations position.

65. (a) That an Offer to Purchase (Highway Closure), to be executed by Lou Parsons, Chairman, and Rick Ducharme, Managing Director, on behalf of the Toronto Area Transit Operating Authority, and scheduled to close within thirty (30) days of fulfilment of all conditions as set out in paragraph number 9 of said Agreement, but in any event no later than 1995 May 2, for the sale of part of Beckley Street, abstracted as part of Lots 99, 100, 101, 104 and part of the Market Reserve, and part of Hughson Street, designated as Part 2 on Reference Plan 62R-12475, more particularly described as having a width along the westerly limit of John Street of 13.213 metres (43.35 feet) more or less, by a depth of 206.069 metres (676.08 feet) more or less, being irregularly shaped and consisting of a total area of 2,009.82 square metres (21,635 square feet) more or less, be approved and completed, and the funds derived from this sale of \$432,700. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That it be agreed that the balance due on closing to the City of the sale price of the closed highway known as Beckley Street, shall be reduced by the sum of \$64,585.56 and \$8,000., respectively. The \$64,585.56 is the purchase price payable by the City to the Toronto Area Transit Operating Authority for the sale to the City of land required for the City's sidewalk on the southerly limit of Hunter Street. The sum of \$8,000. represents the City's share of costs associated with the reconstruction of the steps located along the northerly boundary of Haymarket Street. The Toronto Area Transit Operating Authority agrees to convey the said sidewalk land and to dedicate the land between the sidewalk and the existing Hunter Street to the City in order that they may be established as part of Hunter Street by City by-law.

Said proposed conveyance and dedication to the City,

- i. is outlined in Appendix "C" attached hereto;
  - ii. shall be surveyed by the Toronto Area Transit Operating Authority; and
  - iii. such conveyance and dedication shall be completed within two (2) months of the opening of the Go Station.
- (c) That this sale be conditional upon the Toronto Area Transit Operating Authority becoming the registered owner of the adjacent land.



- (d) That as the proposed closure and sale of the highway requires an alteration to a portion of adjacent highway not being closed, namely the construction of a median to separate the portion of Beckley Street being closed and sold to the Toronto Area Transit Operating Authority herein and the portion of Beckley Street which fronts onto James Street South that is remaining open - the closing of this sale to the Toronto Area Transit Operating Authority is conditional upon the City,
  - i. having published in the newspaper for four (4) successive weeks notice of Council's intent to pass such alteration by-law and to hear any person who claims that the person's land will be prejudicially affected by the by-law, and
  - ii. the City having decided after holding the said hearing, to proceed with the alteration by-law and the said alterations [Municipal Act, S. 297(1)(b) and S. 300].
- (e) That the Commissioner of Transportation/Environmental Services be directed to prepare a by-law to alter a portion of the adjacent highway to the proposed closure of a portion of Beckley Street.
- (f) That the City's deed to the purchaser be subject to an easement in favour of the Regional Municipality of Hamilton-Wentworth, over Part 2, Plan 62R-12475, or such lesser area as required by the Region.
- (g) That this sale be conditional upon the Toronto Area Transit Operating Authority, at its own expense, obtaining and maintaining Comprehensive General Liability (Wrap-Up) and Course of Construction Insurance covering itself and all contractors, sub-contractors, engineers, architects, consultants and sub-consultants, along with all subsidiary, affiliated and associated entities, including the City of Hamilton and the Regional Municipality of Hamilton-Wentworth, with whom Toronto Area Transit Operating Authority is associated through an agreement to construct as it relates to the lands herein. The Toronto Area Transit Operating Authority reserves the right to self-insure this risk and will indemnify against any losses that would have been covered by these policies should they decide to exercise their rights.
- (h) That upon completion of those improvements constructed upon City property (ramp, stairs, canopies) by the Toronto Area Transit Operating Authority, its agents, contractors, or assigns, the City shall accept ownership of said works, subject to a two (2) year warranty against defects after which maintenance shall be the responsibility of the City of Hamilton.

- (i) That the Commissioner of Transportation/Environmental Services be authorized to issue permits under the Streets By-law to the Toronto Area Transit Operating Authority to enter portions of Haymarket, Hughson and Hunter Streets adjacent to the proposed GO Station for the purpose of carrying out improvements required by the City to the streets, their sidewalks, stairs and ramp for pedestrian/vehicular access.
- (j) That the Toronto Area Transit Operating Authority, at its expense, before it commences use of the Go Station shall remove the three (3) concrete poles with luminaries fed by an underground duct.
- (k) That in consideration for, and as a condition of the sale of these lands, the Toronto Area Transit Operating Authority agrees:
  - i. to submit plans and any changes or deviations thereto for the approval of the Council of the City of Hamilton prior to the commencement of alterations to the former station and the subject land.
  - ii. to apply and pay for building permits in respect of its buildings and construction plans.
- (l) That it be a condition of this sale that the Toronto Area Transit Operating Authority agree to carry out and complete the said works as listed below on or before the opening of the Go Station to commuters.

The Said Works to be carried out by the Purchaser are as follows:

- i. Removal and replacement of 320 square metres, more or less, of deteriorated sidewalk along those portions of the south limit of Beckley Street to be closed and sold to the Purchaser.
- ii. Removal and replacement of 25 metres, more or less, of deteriorated concrete curb on Beckley Street.
- iii. Removal of concrete stairs and retaining wall which separated Beckley Street and Haymarket Street and replacement of same with new stairs and wheelchair accessible ramp. (The Vendor has adjusted the sale price as set out in Clause Number 1 to pay its share of City costs.)
- iv. Removal and replacement of concrete sidewalk and curb on Hughson and Haymarket Streets to facilitate construction of the new stairs and ramp aforementioned.

- v. Construction and installation of a canopy from the base of said stairs to the top and to encompass the proposed wheelchair ramp.
  - vi. Construct and install an extended south vestibule area to accommodate wheelchair patrons in accordance with plans provided to, and approved by the Vendor.
  - vii. Construct and install canopies and interfaces as close as possible to the adjacent street property lines and to include some type of pedestrian cover between the property and existing bridges, in order to provide a continuously covered fully accessible pedestrian walkway.
  - viii. Construct and install contrasting tactile edging to facilitate pedestrian movements crossing the driveways at James and John Streets in accordance with Barrier-Free Design Standards.
  - ix. To submit all future plans for review and comment.
66. (a) That a three-way stop control be implemented at the intersection of Everest Street and Templemead Drive.
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
67. That leave be granted to introduce the following Bills:
- (a) **Bill A-42** By-law to Stop-up, Close, Sell and Retain  
Part of Eleanor Avenue between Rymal Road East and Alma Street
  - (b) **Bill A-43** By-law to Stop-up, Close and Retain all of Block 43, Plan 62M-575 (Public Walkway)
  - (c) **Bill A-44** By-law to Incorporate Part 4, Plan 62R-9668 into Crerar Drive
  - (d) **Bill A-45** By-law to Incorporate Block 30, Plan 62M-724 into Colin Crescent
  - (e) **Bill A-46** By-law to Incorporate Block 25, Plan 62M-539 into Ironwood Crescent



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- (f) **Bill A-47** By-law to Incorporate Block 19, Plan 62M-505 into Lowcrest Avenue
- (g) **Bill A-48** By-law to Incorporate Part 1, Plan 62R-12388 into Upper Paradise
- (h) **Bill A-49** By-law to Incorporate Block 149, Plan 62M-639 into Cadham Boulevard
- (i) **Bill A-50** By-law to Incorporate Block 148, Plan 62M-639 into Ossington Drive
- (j) **Bill A-51** By-law to Incorporate Block 21, Plan 62M-719 into Lynnette Drive
- (k) **Bill A-52** By-law to Amend By-law No. 89-72 to Regulate Traffic
- (l) **Bill A-53** By-law to Amend By-law No. 89-72 to Regulate Traffic
- (m) **Bill A-54** By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

Kevin C. Christenson, Secretary  
1993 June 21

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

Appendix "A" as referred to in  
Section 47 of the EIGHTH Report  
of the Transport and Environment  
Committee for 1993

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>First Year/Annual</u>	<u>File Number</u>
137 Britannia Ave.	Concrete porch measuring 2.86' x 17.4' and a frame garage on the road allowance of Ellis Ave. measuring 3.18' x 20.6'	Kerr & Hawken Barristers & Solicitors 442 Brant Street Burlington Ontario L7R 2G4	\$131/20.00	T103-50 (1030)
274 Beechwood Ave.	Concrete verandah measuring 1.95' x 18.4'	Petrini, Rubenstein & Waxman Barristers and Solicitors 242 James Street South Hamilton, Ontario L8P 3B3	\$131/20.00	T103 50 (1029)
52 Britannia Ave.	Verandah and steps measuring 4.87' x 20.0'	Robert R. Blake Barrister & Solicitor 1119 Fennell Ave. E. Hamilton Ontario L8T 1S2	\$131/20.00	T103 50 (1027)
29 Emerald St. N.	Concrete Steps & porch measuring 0.45' x 5.91'	Yachetti, Lanza & Restivo Barristers & Solicitors 154 Main Street East Hamilton Ontario L8N 1G9	\$131/20.00	T103 50 (1034)
35 Macallum St.	Concrete steps measuring 0.73' x 4.00' and two concrete retaining walls measuring 0.05' x 14.15'	Frank P. Sondola Barrister and Solicitor 25 Hughson St. S. Hamilton Ontario L8N 2A5	\$131/20.00	T103 50 (1035)

196 Napier St.	Concrete porch measuring 2.26' x 4.00'	Petrini, Rubenstein & Waxman 242 James St. S. Hamilton Ontario L8P 3B3	\$131/20.00	T103 50 (971)
188 Ray St. N.	Wood porch measuring 3.50' x 4.00'	Borkovich & Ingrassia Barristers & Solicitors 1 Main St. E. Hamilton Ontario L8N 1E7	\$131/20.00	T103 50 (948)
134 Grant Ave.	Fire escape stairs measuring 0.28' X 4.0'	Braden & Braden Barristers, Solicitors, & Notaries 123 Ottawa St. N. Hamilton, Ontario L8H 3Y9	\$131/20.00	T103 50 (1048)
14 Madison Ave.	Steps measuring 2.23' X 3.05'	P. Anthony Marshall Barrister, Solicitor, Notary Public 68 Charlton Avenue West Hamilton, Ontario L8P 2C1	\$131/20.00	T103 50 (1049)
482 Catharine St. N.	Stoop measuring 0.22' X 3.14'	Burns, Vasan, Christmas Barristers & Solicitors 100 King St. W. Hamilton, Ontario L8N 4B7	\$131/20.00	T103 50 (1051)



307 Mary St. N.	Steps measuring 3.0' X 2.83'	Ross & Ross Barristers, Solicitors, Notaries 20 Jackson St. W., Ste. 414 Hamilton, Ontario L8P 1L2	\$131/20.00	T103 50 (1052)
153 Simcoe St. E.	Steps measuring 1.32' X 3.0'	Yachetti, Lanza & Restivo Barristers & Solicitors 154 Main St. E., Ste. 100 Hamilton, Ontario L8N 1G9	\$131/20.00	T103 50 (1050)
60 St. Matthews Ave.	Porch and steps measuring 3.30 X 5.50'	Zimmerman & Associates 1 King St. W., Box 360 Hamilton, Ontario L8N 3H4	\$131/20.00	T103 50 (1053)
169 Hess St. S.	Steps measuring 3.0' X 4.95' and porch measuring 4.6' X 3.25'	Millar, Alexander Barristers & Solicitors 120 King St. W. Hamilton, Ontario L8P 4V2	\$131/20.00	T103-50 (1054)
85 Elgin St.	Steps measuring 3.0' X 2.8'	Paletta & Palios Barristers & Solicitors 132 Jackson St. E. Hamilton, Ontario L8N 1L3	\$132/20.00	T103 50 (1055)
67 Cathcart St.	Steps measuring 3.0' X 2.5'	Paletta & Palios Barristers & Solicitors 132 Jackson St. W. Hamilton, Ontario L8N 1L3	\$132/20.00	T103 50 (1056)

9 Mount Royal Ave.	Steps measuring 2.51' X 6.30'	Zimmerman & Associates Barristers, Solicitors, Notaries 100 Main St. E. Hamilton, Ontario L8N 3W6	\$132/20.00	T103 50 (1057)
383 Herkimer St.	Steps measuring 2.08' X 3.5' and porch measuring 1.73' X 2.40'	George J. Parker Barrister, Solicitor & Notary 14 Bold St. Hamilton, Ontario L8P 1T2	\$132/20.00	T103 50 (1058)
273 Dunsmore Rd.	Porch measuring 9.85' X 3.56'	Simpson, Watson & Vujnovic Barristers and Solicitors 950 King St. W. Hamilton, Ontario L8S 1K8	\$131/20.00	T103 50 (1059)
26 Woodbine Cres.	Portion of building measuring 0.65' X 1.84'	Alexander Mouriopoulos Barrister, Solicitor 64 King St. E. Hamilton, Ontario L8N 1A6	\$132/20.00	T103 50 (1060)
29 Fairmont Ave.	Steps measuring 3.0' X 11.5'	Paul N. Lannon Barrister and Solicitor 3390 South Service Rd. Burlington, Ontario L7N 3J5	\$131/20.00	T103 50 (1061)

**1993 Proposed Shelter Locations**  
**City of Hamilton**

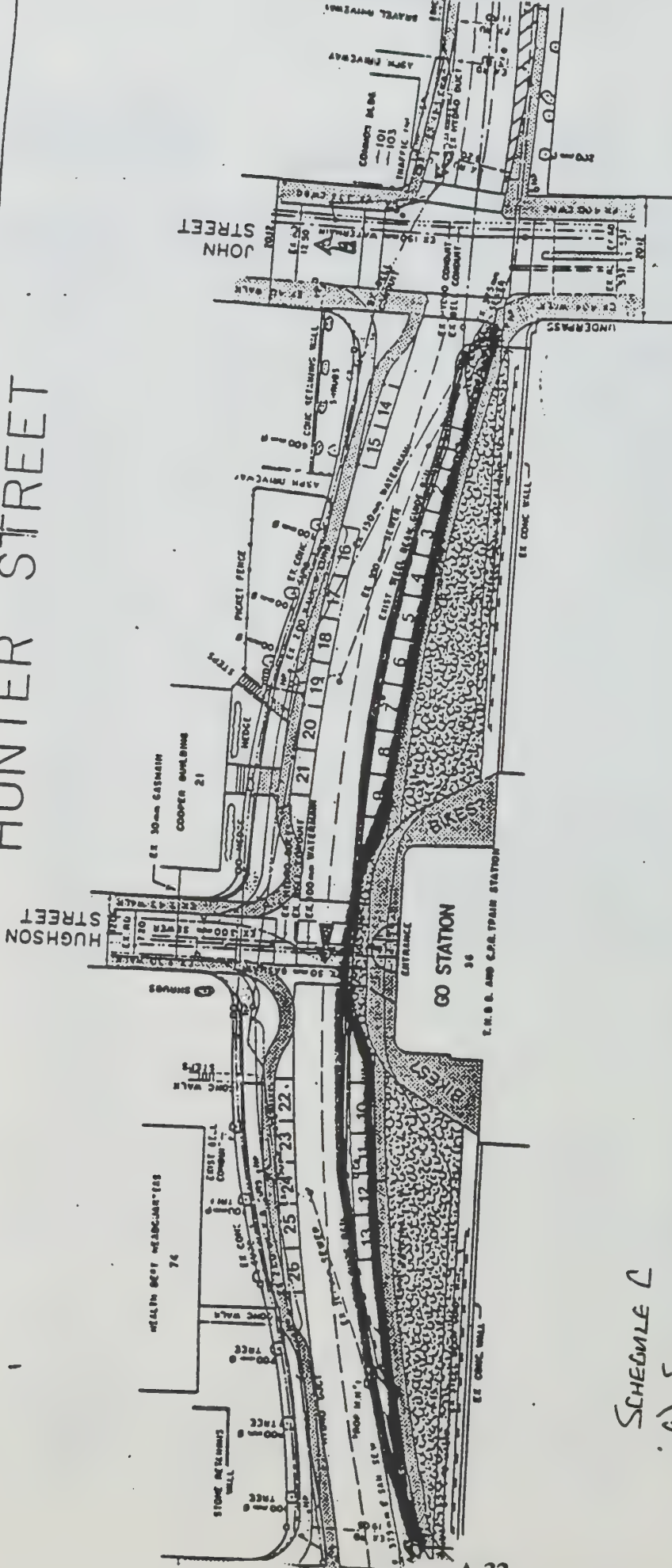
Appendix "B" as referred to in  
 Section 62 of the EIGHTH Report  
 of the Transport and Environment  
 Committee for 1993

NO.	STOP #	LOCATION	CORNER	SHELTER TYPE	SCORE	REQUEST ORIGIN	ENCR. REQ'D
1	70817	Ottawa St. S. at Main St. E.	S/E	AD	87	Customer	YES
2	72606	Main St. E. at Emerald St. S.	S/E	AD	79	Customer	YES
3	82620	Main St. W. at #998	S/Side	AD	78	Customer	NO
4	61334	Mohawk Rd. W. at Upper Horning Rd.	S/E	AD	77	Customer	NO
5	72539	King St. E. at Belview Ave.	N/E	AD	74	Customer	YES
6	51314	Mohawk Rd. E. at Upper Wentworth St.	N/E	AD	74	Customer	YES
7	60314	Upper Paradise Rd. at Mohawk Rd. W.	S/W	AD	70	Customer	NO
8	51315	Mohawk Rd. E. at Upper Wentworth St.	S/W	AD	69	Councillor Jackson	NO
9	50520	Upper Ottawa St. at Mohawk Rd.	N/W	AD	69	Customer	NO
10	61324	Mohawk Rd. W. at Upper Paradise Rd.	S/W	AD	67	Customer	YES
11	72571	King St. E. at Gilmont Dr.	N/E	AD	63	Councillor Agostino	NO
12	72567	King St. E. opp. Mt. Albion Rd.	N/Side	AD	63	Councillor Agostino	NO
13	80131	MacNab St. S. at Charlton Ave. W.	S/E	NAD	63	Customer	NO
14	50520	Upper James St. at Queensdale Ave. E.	S/E	AD	63	Customer	NO
15	51345	Grenadier Ave. at Mohawk Rd. E.	N/E	NAD	62	Customer	NO
16	82515	King St. W. at Macklin St.	N/E	AD	61	Customer	YES
17	81246	King St. E. opp. Quigley Rd.	N/Side	AD	60	Customer	NO
18	81246	Main St. W. at #1895	E/Side	AD	60	Customer	NO
19	60329	Upper Paradise Rd. at Gemini Dr.	N/E	AD	60	Councillor Ross	NO
20	50420	Upper Gage Ave. at Edwina Pl.	N/W	AD	59	Customer	NO
21	72568	King St. E. at Mt. Albion Rd.	S/W	AD	58	Customer	NO
22	60331	Upper Paradise Rd. at Stone Church Rd.	S/E	NAD	56	Councillor D'Amico	NO
23	81116	Emerson St. at Main St. W.	S/E	NAD	55	Customer	YES
24	51242	Fennell Ave. at Glenford Ave.	S/W	CAN	55	Customer	NO
25	71424	Beach Blvd. at Van Wager's Beach Rd.	N/W	NAD	54	Customer	NO
26	70707	Gage Ave. N. at Beach Rd.	N/E	AD	54	Customer	NO
27	72674	Queenston Rd. at #770	S/Side	NAD	54	Customer	NO
28	81003	Franklin Ave. at Longwood Rd.	N/W	NAD	53	Councillor Kiss	NO
29	50545	Upper Ottawa St. at #1527	E/Side	AD	53	Customer	NO
30	80129	MacNab St. S. at Robinson St.	S/E	NAD	51	Customer	NO
31	50140	Upper Wellington St. at Stone Church Rd.	N/W	AD	51	Councillor Gallagher	NO
32	81114	McMaster Service Rd. at Main St. Exit	S/W	NAD	50	Customer	YES
33	50407	Upper Gage Ave. at Brucedale Ave.	S/E	AD	50	Customer	NO
34	60337	Upper Paradise Rd. at Rymal Rd.	N/E	AD	50	Customer	NO
35	72152	Burlington St. E. at Parkdale Ave.	S/W	NAD	49	Customer	YES
36	80233	Garth St. opp. #1440	E/Side	NAD	49	Councillor Ross	NO
37	72584	Greenhill Ave. at Tasha Ct.	N/W	NAD	46	Customer	NO
38	80117	MacNab St. N. at York Blvd.	N/E	NAD	43	Customer	NO



Appendix "C" as referred to in  
Section 65 of the EIGHTH Report  
of the Transport and Environment  
Committee for 1993

# HUNTER STREET



## SCHEDULE C

- A) SIDEWALK LANDS TO BE PURCHASED BY CITY OF HAMILTON 300.50 METRES
- B) LANDS TO BE DEDICATED UPON COMPLETION BY TORONTO AREA TRANSIT OPERATING AUTHORITY







## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **ELEVENTH** Report for 1993 and respectfully recommends:

1. That permission be granted to the Hamilton Rotary Club to sell food and alcoholic beverages during the occasion of their annual picnic, scheduled at Pier-4 Park, on 1993 August 18, under the terms and conditions which includes the following:
  - (a) The proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
  - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
  - (c) That the applicant assume responsibility for all labour-related costs as a result of this event.
  - (d) That Special Duty Officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.
2. That permission be granted to Hamilton Wentworth Adult Slo-Pitch to sell alcoholic beverages during the occasion of their Slo-Pitch Tournament, scheduled at Globe Park, on the following dates 1993 August 14 and August 15, under the terms and conditions which includes the following:
  - (a) The proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
  - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
  - (c) That the Concessionaire be contacted to make the necessary arrangements for the provision of food.

- (d) That the applicant assume responsibility for all labour-related costs as a result of this event.
  - (e) That Special Duty Officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.
3. That approval be given to the Hamilton-Wentworth Police Association to sell beer on the occasion of their Baseball Tournament to be held at Globe Park on 1993 July 17 and July 18, subject to the following terms and conditions:
- (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
  - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
  - (c) That the applicant assume responsibility for all labour-related costs as a result of this event.
  - (d) That the concessionaire be contacted to make the necessary arrangements for the provision of food.
4. That permission be granted to the Montgomery Park Neighbourhood Committee to sell beer during the occasion of their opening celebrations for their new playground structure, scheduled at Montgomery Park on 1993 July 24, under the terms and conditions which includes the following:
- (a) The proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
  - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
  - (c) That the applicant assume responsibility for all labour-related costs as a result of this event.
  - (d) That Special Duty Officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.

5. (a) That the Property and Law Departments be authorized to prepare the necessary easement agreements to allow Public Works Canada access over the City lands and water lots, as outlined in Appendix "A" attached hereto, for the construction of a "carp barrier" at Desjardins Canal, access road and access bridge.  
  
(b) That the Property and Law Departments be authorized to prepare the necessary easement agreements to allow the Royal Botanical Gardens access over the City lands and water lots, as outlined in Appendix "A" attached hereto, for the operation and maintenance of the "carp barrier" at Desjardins Canal.
6. That the City of Hamilton, Department of Culture and Recreation, and the Arts Coordinator be authorized to assist with the development of a Regional Arts Policy and the Cultural Grants Strategic Task Force as formally requested by the Regional Council.
7. That the City of Hamilton formally bid for the hosting of the Canada Games in the year 2001.
8. That approval be granted of the action taken by the Hamilton Tiger Cat Football Club in entering into an agreement with Restauroics Services Inc., to provide concession services at Ivor Wynne Stadium during the 1993 season.
9. That a formal park naming process for the parcel of parkland informally called Harbourfront Park i.e. former Lax Property, be initiated at the call of the West Harbourfront Development Steering Committee in conjunction with the undertaking of the West Harbourfront Development Study.
10. That staff be authorized to commence discussions with the Executive Committees representing each of the four lawn bowling clubs with the intent of implementing a 1994 transfer of daily maintenance services to a volunteer base within these facilities.
11. That staff be authorized to construct a sun shelter in Randall Park in 1993 through the postponing of additional bandshell seating in Gage Park until 1994.
12. (a) That the City of Hamilton grant conditional approval to the City of Burlington for the "major capital improvement" proposed by it to restore the Pavilion at LaSalle Park for public use in accordance with Sections 6 and 9 of the LaSalle Park Agreement between the parties dated 1985 March 28, subject to the City of Burlington:



- i. agreeing that Hamilton will not be obligated to pay any undepreciated capital improvement cost of this major capital improvement planned for the pavilion in the event the lease is terminated after 40 years without renewal or ends after any renewal period, or in the event the lease is terminated, cancelled or ends pursuant to this agreement or law before the expiration of the 40 year term, as recited in Paragraph 24;
  - ii. providing the detailed plans and drawings of the restoration of the pavilion for approval of Hamilton City Council;
  - iii. executing an agreement to amend the existing Lease between the parties, incorporating the revisions described herein.
- (b) That the City of Burlington be informed that this approval is preliminary only and is subject to the final detailed plans, drawings and other documentation being received and approved by Hamilton City Council with respect to the restoration of the pavilion, prior to final approval being given and prior to the commencement of any physical alteration to the pavilion.
- (c) That the Mayor and City Clerk of Hamilton be authorized to execute an agreement to amend the existing lease of LaSalle Park lands between the City of Hamilton and the City of Burlington, incorporating the changes.
- (d) That the City of Hamilton endorse the public fund raising efforts of the City of Burlington with respect to the restoration of the Pavilion.
- 13. (a) That a purchase order be issued to Arrowhead Paving Inc., Burlington, in the amount of \$82,037.45 to install Asphalt Pathways in Gershome Neighbourhood, Kennedy East Neighbourhood, Montgomery, Schwenger, Stirton Tot Lot and Trenholme Parks, being the lowest of twelve quotations received in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and be financed through Work Done For Others Account No. CH56398 62910.
- (b) As it will take 3 weeks to complete all six parks and three of the parks will be opening in late June, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairperson, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".

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14. (a) That approval be given to enter into a contract with Harm Schilthuis and Sons Ltd., Ancaster, in the amount of \$261,040.41 for the construction of the tugboat play area and spray pad including water service at the Pier-4 Park, being the lowest of four tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.
- (b) That the amount of \$261,040.41 be funded from the following accounts:
- Pier-4 Park  
- Harbourfront            CF5200 419154007    \$138,000.
- North-End Anti-Recession  
Program                    CF5200 429202004    \$ 48,300.
- Harbourfront Park Remediation  
Stage 2                    CF5200 419254003    \$ 74,740.41
- (c) That a contract satisfactory to the City Solicitor be entered into between the City and Harm Schilthuis and Sons Ltd. of Ancaster.
- (d) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.
- (e) Pier-4 Park will be opening 1993 July 23; therefore, the contractor cannot wait for final City Council approval on June 29 because there is a six-week construction period and the preparatory work of tendering could not begin early because of other on-going projects. Therefore, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairperson, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".
15. (a) That approval be given to enter into a contract with Valee Way General Contractors Ltd. in the amount of \$165,539.70 for the construction of a wading/spray pool and creative play structure area at Huntington Park, being the lowest of seven (7) tenders received in accordance with specifications issued by the Manager of Purchasing and the Vendor's tender.

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- (b) That the amount of \$165,539.70 be funded from the following two accounts: Huntington Wading Pool Conversion - CF5200 709341015 at \$85,000. and Huntington Park Development Program - CF5200 629354004 at \$80,539.70.
  - (c) That a contract satisfactory to the City Solicitor be entered into between the City and Valee Way General Contractors Ltd.
  - (d) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.
  - (e) Huntington Park will be opening on 1993 July 9; therefore, the contractor cannot wait for final City Council approval on June 29 because there is a four-week construction period and the preparatory work of tendering could not begin early because of other on-going projects. Therefore, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairperson, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".
16. (a) That a purchase order be issued to Black Top Enterprises Ltd., Hagersville, in the amount of \$110,531. including all taxes and \$15,000. contingency, to construct Spray Pads at HAAA Grounds and Sam Manson Park, being the lowest of four tenders received in accordance with specifications issued by the Manager of Purchasing and the Vendor's tender, and be funded through Work Done For Others Account No. CH56398 62910, and subsequently charged to Park Development and Redevelopment Account No. CF629254007 (1992) and CF629354006 (1993).
- (b) Sam Manson Park will be opening on 1993 July 1; therefore, the contractor cannot wait for final City Council approval on June 29 because there is a 3 - 4 week construction period and the preparatory work of tendering could not begin early because of other on-going projects. Therefore, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairperson, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".



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17. That approval be given to deaccession the following artifacts that are currently housed at the Barton Street storage facilities:
- (a) O.C.465.3 items a-h Bed and accessories (factory made)
  - (b) O.C.453.1 Carding Wheel
  - (c) O.C.452.1 Carding Wheel
  - (d) O.C. 451.1 Carding Wheel
  - (e) O.C.445.1 Spinning Wheel and parts
  - (f) O.C.445.2 Spinning Wheel and parts
  - (g) O.C.445.30 Spinning Wheel and parts
  - (h) O.C.445.27 Spinning Wheel and parts
  - (i) O.C.668.1 Chandelier (McGinnis era)
  - (j) O.C.668.2 Chandelier (McGinnis era)
18. That the City waive its cost share Fence Policy and fund 100% of the fence cost at 131 Trenholme Crescent, adjacent to Trenholme Park.

Respectfully Submitted,

Kevin C. Christenson  
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON  
PARKS AND RECREATION COMMITTEE

1993 June 22









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## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **ELEVENTH** Report for 1993 and respectfully recommends:

1. That approval be given to Zoning Application 92-55, Luval Enterprises Limited, owners, for changes in zoning from "AA" (Agricultural) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District (Block "1") and to "RT-30"-'H' (Street Townhouse - Holding) District (Block "2"); and from "R-4" (Small Lot Single-Family Detached) District to "RT-20"-'H' (Townhouse-Maisonette - Holding) District (Block "3"), to "RT-30"-'H' (Street Townhouse - Holding) District (Block "4"), and to "DE-3"-'H' (Multiple Dwellings - Holding) District (Block "5"), to permit one single-family dwelling lot (Block "1"), 32 street townhouse units (Blocks "2" and "4"), 19 townhouse units (Block "3"), and a three storey, 39 unit, multiple dwelling (apartment building) (Block "5"), for lands located south of Mud Street and west of Upper Mount Albion Road, as shown on the attached map marked as Appendix "A", on the following basis:
  - (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., to the subject lands by introducing the holding symbol 'H' as a suffix to the proposed Zoning Districts. The holding provision will prohibit development of the subject lands until the applicant/owner has entered into a Modified Subdivision Agreement with the City/Region, and an Access Agreement with the Region, to the satisfaction of the Regional Roads Department.

Removal of the holding restriction shall be conditional upon the applicant/owner entering into a Modified Subdivision Agreement with the City/Region, and an Access Agreement with the Region, to the satisfaction of the Regional Roads Department. City Council may remove the 'H' symbol, and thereby give effect to the "C", "RT-20", "RT-30" and "DE-3" District provisions as stipulated in this By-law by the enactment of an amending By-law.

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- (b) That Block "1" be rezoned from "AA" (Agricultural) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District;
  - (c) That Block "2" be rezoned from "AA" (Agricultural) District to "RT-30"-'H' (Street Townhouse - Holding) District;
  - (d) That Block "3" be rezoned from "R-4" (Small Lot Single-Family Detached) District to "RT-20"-'H' (Townhouse - Maisonette - Holding) District;
  - (e) That Block "4" be rezoned from "R-4" (Small Lot Single-Family Detached) District to "RT-30"-'H' (Street Townhouse - Holding) District; and
  - (f) That Block "5" be rezoned from "R-4" (Small Lot Single-Family Detached) District to "DE-3"-'H' (Multiple Dwellings - Holding) District;
  - (g) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-79B for presentation to City Council;
  - (h) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and
  - (i) That the Albion Falls Neighbourhood Plan be amended by redesignating Blocks "2" "3" and "4" from "Single and Double Residential" to "Attached Housing", and Block "5" from "Single and Double Residential" to "Medium Density Apartments".
2. That approval be given to Zoning Application 92-57, Philpott Memorial Church, owner, for a change in zoning from "L-c" (Planned Development - Commercial) District to "H" (Community Shopping and Commercial, etc.) District modified to permit a parking lot or future expansion of the adjacent church, on lands known as 89-91 Vine Street, as shown on the attached map marked as Appendix "B", on the following basis:
- (a) That the subject lands be rezoned from "L-c" (Planned Development - Commercial) District to "H" (Community Shopping and Commercial, etc.) District;



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- (b) That the "H" (Community Shopping and Commercial, etc.) District regulations contained in Section 14 of Zoning By-law 6593 be modified to include the following variance as a special requirement:
    - i. a landscaped planting strip of not less than 3.0 m (9.84 feet) in width shall be provided and maintained along Vine Street, except for any area used for access driveways.
  - (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1312, and that the subject lands on Zoning District Map W-4 be notated S-1312;
  - (d) That the City Solicitor be direct to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-4 for presentation to City Council; and,
  - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
3. A. That Zoning Application 93-01, Adorn Investments Limited, owners and Valerie Fine, Trustee, for changes in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District for Block "1", from "AA" (Agricultural) District to "RT-30" (Street Townhouse) District for Block "2", from "AA" (Agricultural) District to "H" (Community Shopping and Commercial, etc.) District for Block "3", and from "R-4" (Small Lot Single-Family Detached) District to "RT-30" (Street Townhouse) District for Block "4", for property located at the rear of 1011 Queenston Road, shown on the attached map marked as Appendix "C", be **denied** for the following reasons:
- (a) The proposed street townhouses (Blocks "2" and "4") conflict with the intent of the Official Plan and the approved Riverdale East Neighbourhood Plan which designates these lands "Single and Double Residential". The Official Plan states that new development will comply with the approved Neighbourhood Plan and will contribute to the desired mix of housing, and that varieties of residential types will not be mixed indiscriminately;
  - (b) Street townhouses (i.e. Block "2" and "4") would not be compatible with established and future intended development in the surrounding area which is predominately one and two-family dwellings to the north and the east; and,

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- (c) Approval of the application could encourage other similar applications which, if approved, would undermine the intent of the Official Plan and approved Neighbourhood Plan.
- B. That approval be given to an amended Zoning Application 93-01, Adorn Investments Limited, owners and Valerie Fine, Trustee for changes in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District for Block "1", and from "AA" (Agricultural) District to "H" (Community Shopping and Commercial, etc.) District for Block "2", for property located at the rear of 1011 Queenston Road, shown on the attached map marked as Appendix "D", on the following basis :
- (a) That Block "1" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
  - (b) That Block "2" be rezoned from "AA" (Agricultural) District to "H" (Community Shopping and Commercial, etc.) District;
  - (c) That the "H" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14 of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variances as special requirements:
    - i. That a landscape planting strip not less than 6.0 m wide shall be provided and maintained along the northerly limits of the "H" district lands where they abut the residential district to the north; and,
    - ii. a visual barrier not less than 2.5 m in height shall be provided and maintained within the landscaped planting strip referred to in clause (a).
  - (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1313, and that the subject lands on Zoning District Maps E-124 and E-125 be notated S-1313;
  - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-124 and E-125 for presentation to City Council;

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- (f) That the approved Riverdale East Neighbourhood Plan be amended by deleting the proposed walkway along the easterly limits of Blocks "1" and "2";
  - (g) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- C. That Site Plan Control By-law 79-275, as amended by By-law 87-233, be amended by adding Block "2" to Schedule "A".
4. That approval be given to City Initiative 93-A to provide for a general text amendment to Zoning By-law No. 6593 by deleting townhouses and street townhouses as permitted uses in the "D" and "G" Districts; and by deleting townhouses, maisonettes and street townhouses as permitted uses in the "DE", "DE-2", "DE-3", "E", "E-1", "E-2" and "E-3" Districts, on the following basis:
- (a) That the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District requirements as set out under Section 10 of Zoning By-law No. 6593 be amended by:
    - i. deleting the word "Townhouses" from the district title so that it shall read as "(Urban Protected Residential - One and Two Family Dwellings, ETC.)";
    - ii. deleting Section 10.(1)(iii) in its entirety; and
    - iii. adding thereto the following subsection:

PRIOR EXISTING USES

- (8) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-10" District provisions;
  - (ii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.



(b) That the "DE" (Low Density Multiple Dwellings) District requirements as set out under Section 10A of Zoning By-law No. 6593 be amended by:

- i. deleting Section 10A.(1)(v) in its entirety; and
- ii. adding thereto the following subsection:

PRIOR EXISTING USES

(8) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:

- (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
- (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
- (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.

(c) That the "DE-2" (Multiple Dwellings) District requirements as set out under Section 10B of Zoning By-law No. 6593 be amended by:

- i. deleting Section 10B.(1)(v) in its entirety; and
- ii. adding thereto the following subsection:

PRIOR EXISTING USES

(9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:

- (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
- (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;

1993 June 29

- (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (d) That the "DE-3" (Multiple Dwellings) District requirements as set out under Section 10C of Zoning By-law No. 6593 be amended by:
  - i. deleting Section 10C.(1)(v) in its entirety; and
  - ii. adding thereto the following subsection:

**PRIOR EXISTING USES**

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
  - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
  - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (10) Notwithstanding subsection (9), those lands located at Nos. 384-390 Limeridge Road East shall be deemed a "PRIOR EXISTING USE".
- (e) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District requirements as set out under Section 11 of Zoning By-law No. 6593 be amended by:
  - i. deleting Section 11.(1)(iia) in its entirety; and
  - ii. adding thereto the following subsection:

**PRIOR EXISTING USES**

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
  - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
  - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (f) That the "E-2" (Multiple Dwellings) District requirements as set out under Section 11B of Zoning By-law No. 6593 be amended by:
  - i. deleting Section 11B.(1)(v) in its entirety; and
  - ii. adding thereto the following subsection:

PRIOR EXISTING USES

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
  - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
  - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (10) Notwithstanding subsection (9), those lands located at No. 1620 Upper Wentworth Street shall be deemed a "PRIOR EXISTING USE".



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- (g) That the "G" (Neighbourhood Shopping Centre, etc.) District requirements as set out under Section 13 of Zoning By-law No. 6593 be amended by adding thereto the following subsection:

PRIOR EXISTING USES

- (7) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the By-law shall be permitted:
    - (i) A Townhouse Dwelling subject to the "RT-10" District provisions;
    - (ii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
  - (8) Notwithstanding subsection (7), those lands located at No. 2774 King Street East shall be deemed a "PRIOR EXISTING USE".
- (h) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
  - (i) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- 5.
    - (a) That City Council request Regional Council to support Amendment No. 80 to the City of Hamilton Official Plan as approved by City Council at its meeting of 1992 August 25, attached hereto as Appendix "E", in its entirety, and;
    - (b) That Regional Council also be requested to deem the objections of the Harbour Commission as frivolous.
  - 6. That representatives of City Council, the Planning and Development Committee, and City staff arrange a meeting with the Minister of Housing to discuss the financing of housing rehabilitation programmes from funds accumulated under the Ontario Home Renewal Programme Trust Account.

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7.
  - (a) That the concept of Hughson Street as a major pedestrian thoroughfare, as outlined in John Mokrycke's Guidelines for an Integrated Central Business District Focus Area (See Appendix "F") be endorsed in principle;
  - (b) That an implementation plan for this concept be developed by the Public Works Department, Planning and Development Department and other relevant Departments.
  - (c) That the Planning and Development Department be directed to review the development of +15 links from Jackson Square and the Convention Centre to Gore Park in consultation with CAPIC and the Urban Design Committee;
  - (d) That the review of the Corktown and Beasley Neighbourhood Plans include the identification of those areas within the Focus Area that are appropriate for mixed residential/commercial development;
  - (e) That the Ferguson Avenue Redevelopment Advisory Committee, the Beasley Neighbourhood Plan Review Team, and the Corktown Neighbourhood Plan Review Team be directed to identify specific bicycle routes within their respective study areas;
  - (f) That the development of a public plaza on Hunter Street, in front of the GO Station, be referred to the GO Station Area Study for detailed review;
  - (g) That the Parks Staff Advisory Committee be directed to review the feasibility of the installation of fountains at Hughson Street and Hunter Street and Hughson and King William Street and report to the Parks and Recreation Committee and the Planning and Development Committee;
  - (h) That the City continue to act as a facilitator only with respect to the provision of public art (i.e. murals on building faces) for private buildings;
  - (i) That no action be taken on the recommendation to permit on-street loading in the Focus Area;
  - (j) That the Barrier Free Design Committee be directed to review the accessibility of the Focus Area;

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- (k) That the proposed development concept respecting building heights and setbacks, attached as Appendix "G", be adopted as guidelines for redevelopment of the Focus Area;
  - (l) That the Urban Design Committee be directed to review lighting standards in the Focus Area;
  - (m) That no action be taken on the recommendation to prepare a study of signage in the Focus Area.
8. That staff be authorized to defer the expenditure of \$458,000. from the Commercial Improvement Program pending the outcome of the Capital Budget deliberations resulting from the anticipated reduction in Provincial transfer payments.
9. (a) That approval be given to the "Intent to Designate" Barton Stone United Church Cemetery at 21 Stone Church Road West as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983 as outlined in the Reasons for Designation attached hereto and marked as Appendix "H".
- (b) That the City Solicitor be authorized as directed to take appropriate action to have this property designated pursuant to the provision of the Ontario Heritage Act, 1983.
10. That the Mayor and City Clerk be authorized to execute the necessary documents to release the property at 35 Milburn Road, Hamilton from the construction covenants to the City as contained in City Deed 289503 A.B. registered on April 25, 1973.
11. That the City of Hamilton accept the sum of \$22,400. as a cash payment in lieu of the 5% land dedication in connection with Wisemount Estates - Phase 3, Hamilton, located in the Lisgar Neighbourhood, west of Upper Kenilworth Avenue, between Landron Avenue and Limeridge Road East, being the cash payment required under Section 51 of the Planning Act.
12. (a) That the Building Commissioner be authorized to call tenders and subsequently proceed to have the building located at 275 Bay Street North demolished to bring the subject property into compliance with the City of Hamilton Property Standards By-law 74-74, as amended, and specifically to do the work required to comply with the final and binding Order.



- (b) That the appropriate by-law be enacted by Council.
13. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, four hundred and fifty six (\$1,456.) be approved for Sharon Goupil, 210 MacNab Street North, Hamilton. The interest rate will be 8 per cent amortized over 5 years.
14. (a) That the fixed interest rate under the Community Heritage Trust Fund Loan Programme be reduced from six percent (6%) to one-half (1/2) of the City's prime lending rate.
- (b) That the applicant be charged a flat fee of \$200. per application or 1 1/2% of the loan amount, whichever is greater, to help offset the administrative costs of the Programme. The administrative fee will be eligible for funding under the Programme. The new loans will be amortized over ten years but renegotiated after five years in order to reflect the interest rate of the day.
- (c) That the City Solicitor be directed to amend By-law 85-120 in order to reflect City Council's approval of these changes.
15. That the Building Commissioner be authorized to issue demolition permits for:
- (a) 765 West 5th Street
  - (b) 1086 West 5th Street
  - (c) 1090 Upper James Street
  - (d) 1094 Upper James Street
  - (e) 1445 Upper Sherman Avenue
  - (f) 31 Argyle Street
  - (g) 1889 Main Street East

1993 June 29

16.
  - (a) That the request of 800064 Ontario Inc., to remove part-lot control from Lots 1-16, inclusive, "Claudette Gardens - Phase 3" plan of subdivision, 62M-734, be approved;
  - (b) That the attached by-law to remove part-lot control from Lots 1-16, inclusive, "Claudette Gardens - Phase 3" plan of subdivision, be enacted by Council;
  - (c) That the following enactment of this by-law, that the Regional Municipality of Hamilton-Wentworth (as delegates of the Minister of Municipal Affairs) be requested to grant approval to the by-law and endorse the same on the by-law; and
  - (d) That following completion of the conveyances being permitted by the said by-law to remove part-lot control, a by-law be enacted to repeal the said by-law.
17. That approval be given to application CDM-CONV-H-9301, Kestutis Draudvila, in trust, owner, to establish a draft plan of condominium in the north-east corner of Main Street East and Wentworth Street South, subject to the following conditions:
  - (a) This approval applies to the plan prepared by A.T. McLaren dated February 3, 1993, showing a total of 21 residential units.
  - (b) The owner entering into an Encroachment Agreement with the Regional Municipality of Hamilton-Wentworth to the satisfaction of the Commissioner of Transportation/Environmental Services Group prior to the release of the final plan by the Region.
  - (c) The owner receive the Certificate of Approval from the City of Hamilton pursuant to the Rental Housing Protection Act for the conversion of the rental property to a condominium.
18. That Regional Council be advised that the proposed Amendment to the Hamilton-Wentworth Official Plan to permit the "Canuck 750" Sports Coliseum does not conflict with the planning intentions of the City of Hamilton.

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19. That the following citizens be appointed to the Central/Beasley Neighbourhood Plan Review Team:

<u>Name</u>	<u>Representing</u>
Mary Pocius	International Village BIA; CAPIC
Greg Gouthreau	Downtown BIA
Pat Bramwell	Ferguson Avenue Redevelopment Advisory Committee
Ken Hastings	Beasley Neighbourhood Association
Jerry Sherman	James Street North Business
Jane Rigby	Central/Beasley P.R.I.D.E. H.I.N.T.
Fred Vermeulen	Hess Village Merchants
Harry Perrell	Beasley Neighbourhood
Jackie Gordon	Beasley Neighbourhood
James C. Drake	Beasley Neighbourhood
Helen Kirkpatrick	Central Neighbourhood
Ann Vaugeois	Central Neighbourhood

20. That leave be granted to introduce the following Bills:

- (a) C-48 By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 1157 Rymal Road East
- (b) C-49 By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 29 Severn Street
- (c) C-50 By-law to Adopt Official Plan Amendment No. 121 respecting lands located at Municipal Nos. 1010-1024 Upper Wentworth Street, within the Bruleville Neighbourhood
- (d) C-51 By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 1010-1024 Upper Wentworth Street
- (e) C-52 By-law to amend Zoning By-law No. 6593 respecting Townhouses in Multiple Dwelling Districts
- (f) C-53 By-law to amend By-law No. 93-032 respecting Planning Fees



1993 June 29

- (g) C-54 By-law to authorize demolition and clearing of buildings, structures, debris or refuse at 275 Bay Street North
- (h) C-55 By-law to remove land within the Claudette Gardens, Phase 3 Subdivision, Plan 62M-734 from Part Lot Control.

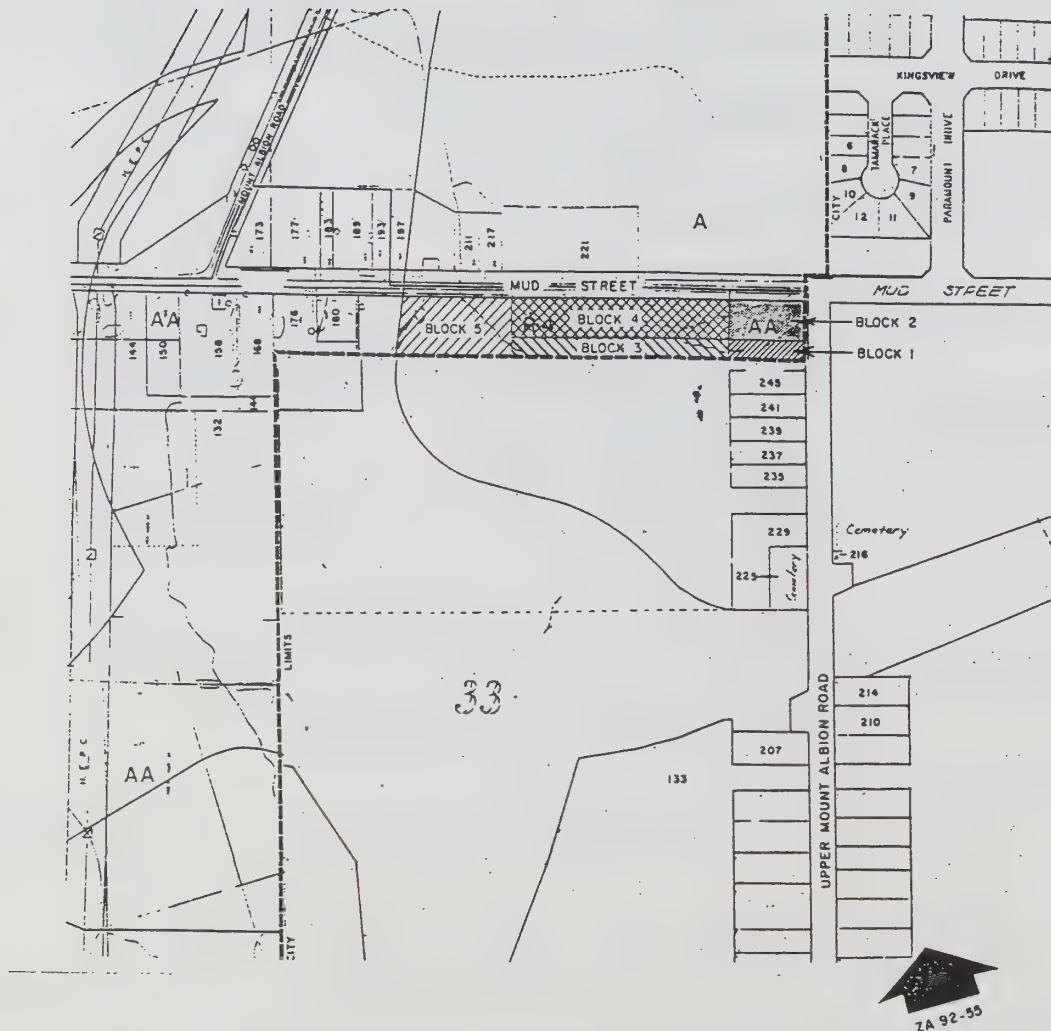
RESPECTFULLY SUBMITTED,

ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary  
1993 June 23






1993 June 29

Appendix "A" as referred to  
in Section 1 of the **ELEVENTH**  
Report of the Planning and  
Development Committee for  
1993



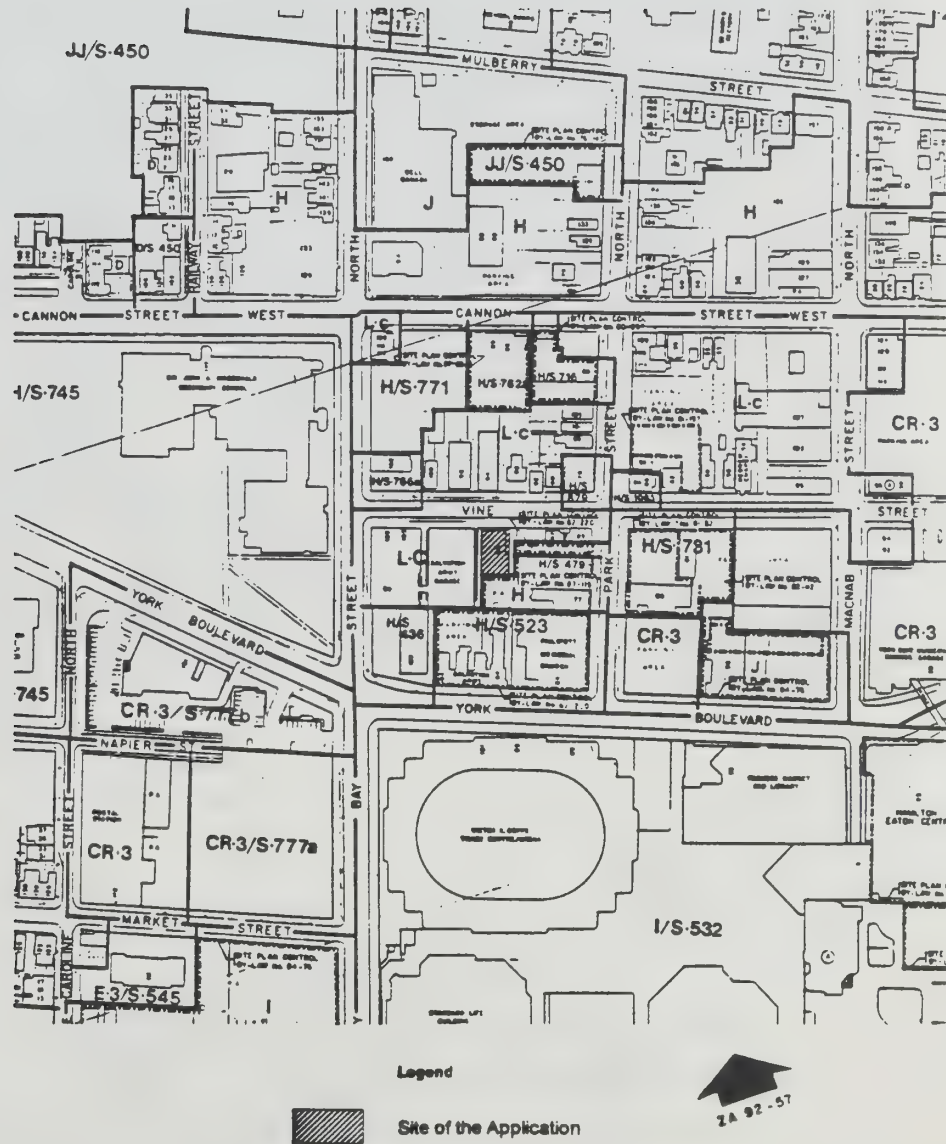
#### LEGEND

Proposed change in zoning from:

- BLOCK 1  "AA" (Agricultural) District to "C" - "H" (Urban Protected Residential, etc. - Holding) District.
- BLOCK 2  "AA" (Agricultural) District to "RT-30" - "H" (Street Townhouse - Holding) District.
- BLOCK 3  "R-4" (Small Lot Single-Family Detached) District to "RT-20" - "H" (Townhouse - Maisonette - Holding) District.
- BLOCK 4  "R-4" (Small Lot Single-Family Detached) District to "RT-30" - "H" (Street Townhouse - Holding) District.
- BLOCK 5  "R-4" (Small Lot Single-Family Detached) District to "DE-3" - "H" (Multiple Dwellings - Holding) District.

1993 June 29

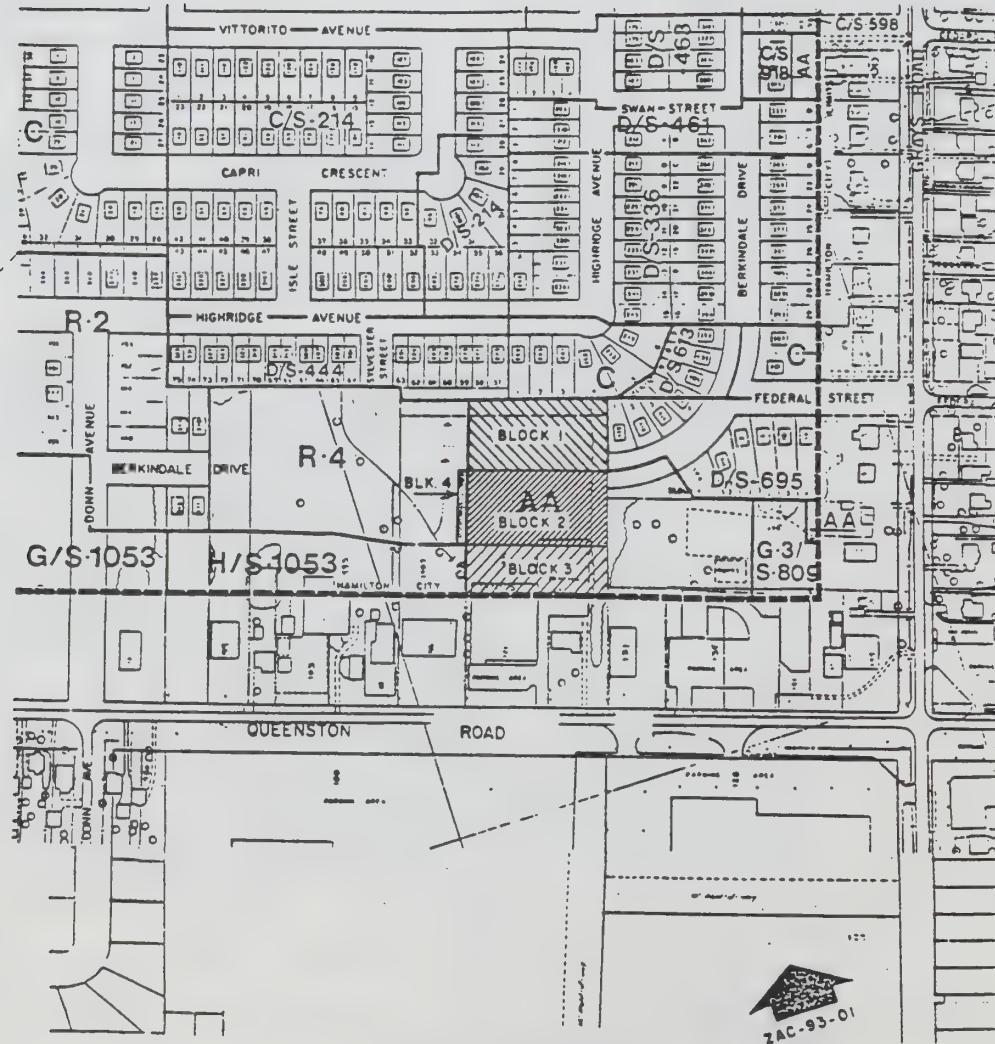
Appendix "B" as referred to  
in Section 2 of the ELEVENTH  
Report of the Planning and  
Development Committee for  
1993









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Appendix "C" as referred to  
in Section 3A. of the ELEVENTH  
Report of the Planning and  
Development Committee for  
1993



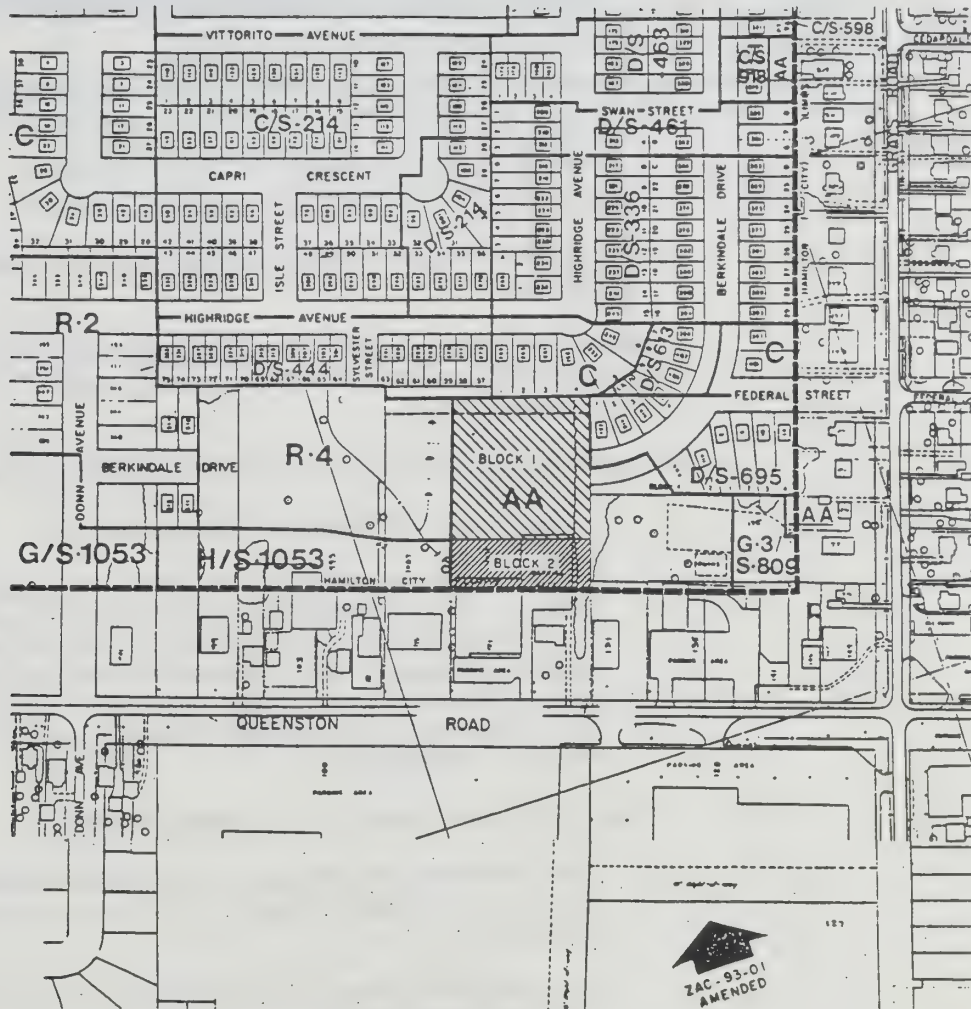
Legend

Proposed Change in Zoning From:

- BLOCK 1  "AA (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District.
- BLOCK 2  "AA" (Agricultural) District to "RT-30" (Street Townhouse) District.
- BLOCK 3  "AA" (Agricultural) District to "H" (Community Shopping and Commercial, etc.) District.
- BLOCK 4  "R-4" (Small Lot Single-Family Detached) District to "RT-30" (Street Townhouse) District.



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Appendix "D" as referred to  
in Section 3B of the ELEVENTH  
Report of the Planning and  
Development Committee for  
1993



**Legend**

Proposed change in zoning from:

- |         |   |   |
|---------|---|---|
| BLOCK 1 |  | "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District.                |
| BLOCK 2 |  | "AA" (Agricultural) District to "H" (Community Shopping and Commercial, etc.) District, modified. |

1993 June 29

Appendix "E" as referred to  
in Section 5 of the ELEVENTH  
Report of the Planning and  
Development Committee for  
1993



City of  
HAMILTON

Subjoined is a certified true copy of Item 21 of the FIFTEENTH Report of the Planning and Development Committee as adopted by City Council at its meeting held 1992 August 25.

21. A. That the City Clerk be directed to advise Hamilton-Wentworth Region that the City of Hamilton:

(a) endorses the modifications to Official Plan Amendment No. 80 to the City's Official Plan as proposed by the Region (Appendix "B") except for Modification No. 9;

(b) requests that Modification No. 9 be further modified as follows:

delete Clause (ii) of Policy C.4.9 and replace with:

"ensure that, where remedial actions plans are required by the Ministry of the Environment, no development will take place until notification is received from the Ministry that the decommissioning process has been satisfactorily completed. In this regard, Council will utilize means such as Site Plan Approval, the "H" (Holding zone provisions), etc., as a means to prohibit development;"

(c) requests a new Modification 14 be introduced as follows:

Item 19 be modified by deleting the preamble of Subsection 5 - General Land Use Provisions and replacing it with the following:

"It is the general intent of this Official Plan that all planning and development both public and private, within the City of Hamilton will be undertaken in compliance with the policies of this Plan. However, there are exceptions, where the operation of government, associated public bodies and institutions that are permitted "as-of-right", or without locational restriction throughout the City, with the exception of lands designated Escarpment Natural Area or Escarpment Protection Area as shown on Schedule "B" as Special Policy Area "1A" and "1B" wherein such uses must be in accordance with the Permitted






**1993 June 29**

Uses as set out in Section A.2.9.1 and the Development Criteria of the Niagara Escarpment Plan. In addition, there are certain uses which are not acceptable within the City due to the danger they may pose to persons and/or property and therefore should be prohibited throughout the City."

- (d) the modifications and land use changes as proposed by the Hamilton Harbour Commissioners' in their letter of 1992 May 27 (Appendix "C") cannot be supported.
- B. The City Clerk be requested to forward a copy of this report to the Region and the Ministry of Natural Resources for their information.

CERTIFIED A TRUE COPY

  
CITY CLERK

1992 August 25

**Appendix "B" as referred  
to in Section 21A(a) of the  
Fifteenth Report of the  
Planning and Development  
Committee for 1992**

**PROPOSED MODIFICATIONS TO AMENDMENT NO. 80 TO THE CITY OF HAMILTON OFFICIAL PLAN  
(Revised 29 May 1992 to incorporate comments received as a result of circulation)**

Modification 1

Subsection A2.7.2 - Utility Uses, be revised as follows:

- I) delete Policy A2.7.2; and,
- II) renumber the other policies in the Subsection accordingly.

Modification 2

Section A - Land Use and Management Strategy, be revised by adding a new Subsection A.2.11 - Shipping and Navigation, to read:

**"A.2.11 - SHIPPING AND NAVIGATION**

It is the general intent of this Plan to recognize the role of the Harbour in the economy of the City and in particular, the activities of the Hamilton Harbour Commissioners in carrying out their activities of SHIPPING AND NAVIGATION.

- 2.11.1 The primary permitted uses in the areas designated on Schedule "A" as SHIPPING AND NAVIGATION will be for shipping terminals; marine freight; passenger handling facilities; related storage, vessel and barge docks; and other uses related to SHIPPING AND NAVIGATION."

Modification 3

Subsection A3.2 - Environmentally Sensitive Areas, be revised by:

- I) adding to Policy A3.2.3, the words "...within or adjacent to lands..." after the words "...Where development or redevelopment is proposed on lands..." to read:  
  
"A3.2.3 Where development or redevelopment is proposed on lands within or adjacent to lands designated ENVIRONMENTALLY SENSITIVE AREAS, Council will consider..."
- II) adding a new clause (iv) to Policy A3.2.3 to read:  
  
"iv) in the case of Van Wagner's Marsh and Cootes Paradise, the Feasibility Study and Impact Analysis must make specific reference, in consultation with the Ministry of Natural Resources, to the criteria employed in the selection of these Provincially significant features. It must demonstrate that the development is compatible with long term maintenance of the Provincially significant features, in accordance with Provincial direction."

Modification 4

Subsection A3.2 - Environmentally Sensitive Areas, be revised to add a new Policy A3.2.10 to read:

- "A3.2.10 Cootes Paradise and Van Wagner's Marsh are Provincially Significant Wetlands. In addition, Cootes Paradise is a Provincially Significant Area of Natural and Scientific Interest. Council recognizes the Provincial significance of these

features and supports their protection in the long term."

Modification 5

Section A - Land Use and Management Strategy, be revised by adding a new Subsection A.3.5 - Land Fill Constraint Areas, to read:

"Landfill Constraint Areas are those lands which are known former municipal or industrial waste disposal sites. If effective control measures have not been implemented at the site, then methane gas and leachate can migrate laterally from the perimeter of the site. Methane gas and leachate can be generated in quantities and concentrations which can pose a risk to property and human health and safety. It is therefore appropriate to include policies to ensure due caution is exercised in the development/redevelopment of affected lands. Further, the Environmental Protection Act requires that approval for any use of a waste disposal site within 25 years of its closure be obtained in writing from the Minister of the Environment.

3.5.1 Where development is proposed within 500 metres of lands shown as "Land Fill Constraint Areas" on Schedule "I":

- (a) the City, the Region and the Ministry of the Environment will be consulted regarding actions necessary to identify and mitigate any potential adverse environmental effects; and,
- (b) to facilitate a recommendation by the Ministry of the Environment to the approving authority, evidence, will be provided to the City and to the Ministry that such development, including the construction of buildings, structures, and underground utilities and services, as well as hard surface paving, can safely take place.

3.5.2 No uses, except those approved by the City, and in writing by the Minister of the Environment pursuant to the Environmental Protection Act, as amended, will be permitted on lands used for waste disposal purposes within 25 years of termination of such use."

Modification 6

Item 19 be modified to revise Policy 5.1 by adding the word "generally" after the words "...land use compatibility" to read:

"5.1 Notwithstanding SECTIONS A, B AND C of this Plan, the following uses will be permitted within all land use designations provided that land use compatibility is generally maintained and it is keeping with the intent of the development standards set out in this Plan."

Modification 7

Item 19 be modified to revise clause III) of Policy A 5.1 to read:

"II) bona fide shipping and navigation by the Hamilton Harbour Commissioners, without purporting to limit the jurisdiction of the Parliament of Canada, the Federal Government, or the Hamilton Harbour Commissioners acting within the scope of the lawful jurisdiction in respect of shipping and navigation matters in accordance with Subsection D.5."



1992 August 25

Modification 8

Subsection B.3.2 - Public Transit, be revised by adding the words "in accordance with the policies established by the Region" after the words "... locate TRANSIT stops" to read:

"B.3.2.8 In the preparation of Neighbourhood Plans, Council will encourage and cooperate with the Region's Transportation Department to locate TRANSIT stops in accordance with the policies established by the Region. Where possible and feasible, transit stops will be located in close proximity to passenger generators. Furthermore, Council with support, where practicable, the integration of those stops with pedestrian crosswalks."

Modification 9

Section C - Amenities and Design Strategy, be revised to add a new policy 4.9 to Subsection C.4 - Pollution, to read:

"4.9 Council recognizes the Ministry of the Environment's concerns regarding the potential for contamination of soils and supports its efforts for the decommissioning of such sites. Accordingly, where the development/redevelopment is proposed for lands currently or previously known to be used for industrial, transportation or utility purposes Council will, in the consideration of an amendment application to this Plan and/or the implementing zoning by-law:

- (i) require the proponents to submit to the Ministry of the Environment, in accordance with that Ministry's requirements, a professional analysis of soils on the site determining the presence, type(s) and concentration of contaminants which may be hazardous to the environment and/or to human health as a prerequisite of development or redevelopment. Determination of contaminants for which analysis will be conducted will be based upon all present and previous uses of the site.

If the analysis identifies the presence of contaminants at concentrations above background levels, the Ministry will require the proponent to formulate and implement a remedial action plan in accordance with the Ministry's Guidelines for the Decommissioning and Clean-up of Sites in Ontario, (as may be amended.) This plan will be submitted to the Ministry for approval;

- (ii) defer applications to rezoning and/or Official Plan amendments until notification is received from the Ministry that the decommissioning process has been satisfactorily completed, in cases where remedial action plans have been required; and,
- (iii) require, in accordance with Ministry requirements, the proponent to submit documentation on previous uses of the property with the application for development/redevelopment to the City for circulation to the Ministry."

1993 June 29

1992 August 25

Modification 10

Section D.8 - Interpretation, be revised to add a new Subsection D.8.6, as follows:

"D.8.6 Nothing in this Plan shall be interpreted to mean that an undertaking which is subject to the Environmental Assessment Act may proceed except in compliance with that Act. The City will not give any licence, permit or approval that may lead to the commencement of any such undertaking until it has been approved or exempted under the Environmental Assessment Act."

Modification 11

Schedule "A" - Land Use Concept of the Official Plan Amendment No. 80 be revised by:

- i) adding a new designation "Shipping and Navigation" to the legend; and,
- ii) redesignating Piers 10 to 14 and Piers 25 to 27 from "Utilities" to "Shipping and Navigation".

Modification 12

Introduce a new Schedule "T" - Land Fill Constraint Areas, to the Hamilton Official Plan

Modification 13

Renumber the items of Official Plan Amendment No. 80 accordingly.

1992 August 25

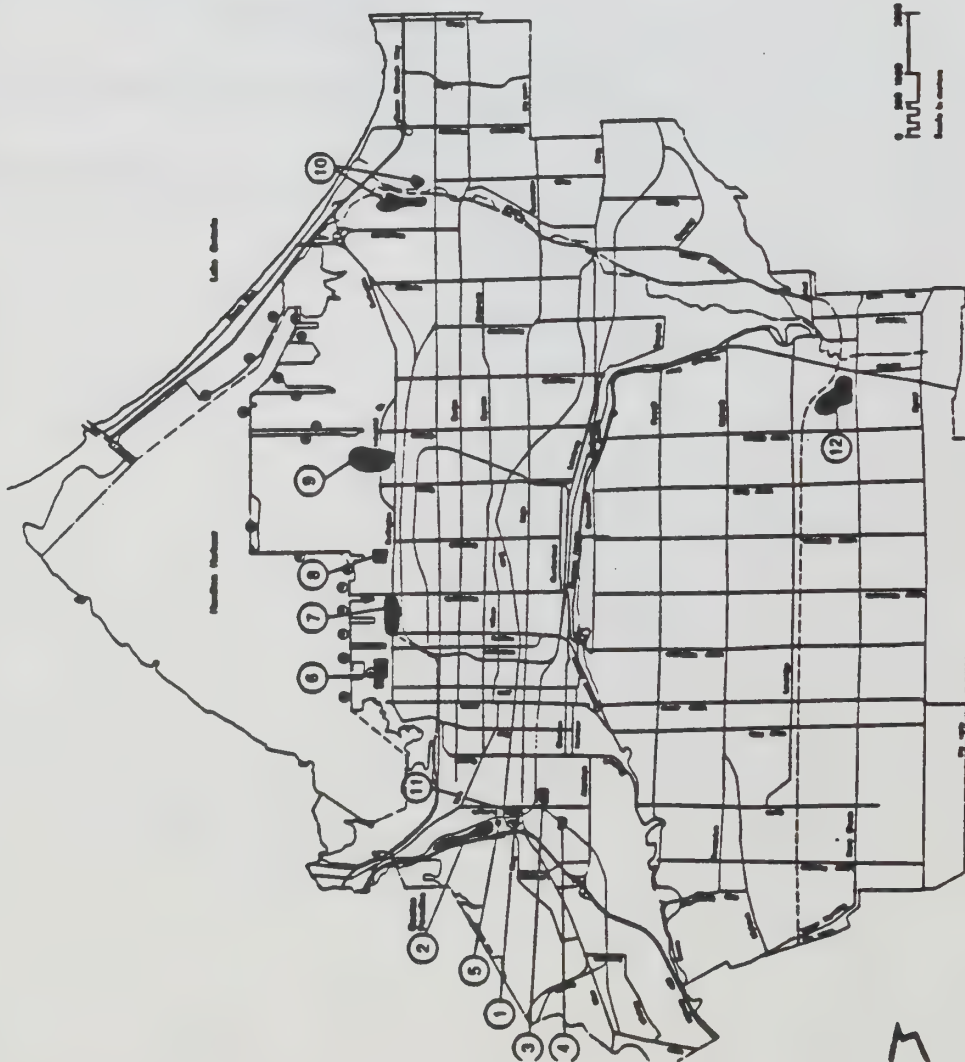
**landfill -onstraint  
areas**

**legend**

- ① King St./Basilica
- ② Kay Dredge Park
- ③ 188 Street Yard
- ④ Chatham/Fid
- ⑤ King/CP
- ⑥ Eastwood Park
- ⑦ Burlington/Victoria/  
Wentworth
- ⑧ Burlington/Birch
- ⑨ Burlington/Dapew
- ⑩ Brampton/Wentworth
- ⑪ Main/Dundurn
- ⑫ Upper Ottawa Landfill St.

**schedule I**

to the official plan  
for  
the City of Hamilton  
December, 1991





1993 June 29

1992 August 25

Appendix "C" as referred  
to in Section 21A(d) of the  
Fifteenth Report of the  
Planning and Development  
Committee for 1992

805 James St. N.  
Hamilton, Ontario, Canada  
L8L 1K1

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Fax Numbers  
Administration 525-4322  
Terminal 525-7258



CONFIDENTIAL & WITHOUT PREJUDICE

May 27, 1992

The Regional Municipality of Hamilton - Wentworth  
P. O. Box 910  
Hamilton, Ontario  
L8N 3V9

Attention: Mr. A. L. Georgieff, MCIP

Dear Sir,

SUBJECT: Proposed Modifications to Official Plan Amendment No. 80,  
City of Hamilton

The above referenced has been reviewed by The Hamilton Harbour Commissioners and we submit the following comments and recommended changes for your consideration.

It is the view of the Commissioners that should the recommendations as set out herein be incorporated by the Region many of the long-standing planning disputes between the City and the Commissioners will be resolved. Moreover, acceptance will also permit the Commissioners to withdraw many of the appeals that we have filed against zoning by-law amendments.

As had been previously set out to the City in previous correspondence, we had anticipated that the Major Five-Year Review to the City's Official Plan would have resulted in more than just housekeeping measures. The latest proposals for modifications to the Plan are an improvement over the initial proposal, however we feel that additional policies relating to the Port of Hamilton are warranted.

The proposal that we have provided will assist in providing the much needed certainty and predictability for long-term economic growth in the Port and the region. The attached Appendix 1 - "An Overview of the Benefits of the Port of Hamilton" - provides a basis for the incorporation of appropriate policies in the Official Plan which will in turn assist in establishing the atmosphere for growth and prosperity. Our proposal will only serve to benefit and sustain this growth, while continuing to be consistent with the judgement set down by Mr. Justice Griffiths. In this regard, we believe that Mr. Justice Griffiths was very clear in confirming the role of the Harbour Commissioners in port planning. For example, in Hamilton Harbour Commissioners v. City of Hamilton (1978), 91 D.L.R. (3d) 353, page 366, Mr. Justice Griffiths concluded:

1992 August 25

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If a port is to remain competitive, it must have sufficient flexibility to adapt its land uses to all the changing needs. If its harbour is to survive, a harbour authority must have complete and absolute control over the harbour and surrounding lands to enable it to develop to its full potential.

The following are our specific comments relating to the proposed modifications dated March 13, 1992:-

**Modification 1**

We concur.

**Modification 2**

The intent of this modification is positive, however in our view does not go far enough to fully address the importance, role and function of the Port. We propose the following:-

**\*A.2.11 - SHIPPING, NAVIGATION AND PORT DEVELOPMENT**

Council recognizes that the Port is an integral and important element to the social and economic fabric of the City and surrounding region and accordingly, it is the general intent of this Plan to recognize the role of the Port in this respect and in particular, the activities of The Hamilton Harbour Commissioners in carrying out their mandate of Shipping, Navigation and Port Development.

- 2.1.11 The primary permitted uses in the areas designated on Schedule 'A' as Shipping, Navigation and Port Development shall include, but not be limited to the following uses: uses which relate to the movement, management, safety and convenience of ships; uses involving the carriage of goods or passengers to other modes of transportation; related storage and processing; vessel and barge docks; industry and commerce related or complementary to, or necessary to the port; recreational boat facilities; and, the provision of services such as security, employment, immigration, labour, administration, technical, food, fuel, and maintenance."

1992 August 25

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We feel that like other land uses in the municipality, the Shipping, Navigation and Port Development land uses should also be protected from adjacent, potentially conflicting land uses. Accordingly, the following policy is proposed which is similar to that found in the Industrial Uses land use designation in the Official Plan:

- "2.1.12 Council shall ensure that other land uses which are proposed and which abut the areas designated on Schedule 'A' as Shipping, Navigation and Port Development are compatible with those uses set out in policy 2.1.11 and will protect the uses set out in policy 2.1.11 from other uses or other adverse impacts through the provision of adequate separation, screening, barriers, fencing and landscaping or other like measures."

We believe that the Shipping, Navigation and Port Development designation should also be afforded the same policies as that found in other designations in the Official Plan respecting the provision of public services (policy 2.2.29, for example). We therefore, propose the following policy:

- "2.1.13 In order to enhance the viability of the Shipping, Navigation and Port Development designation, Council, where feasible and deemed appropriate, shall encourage and assist in the establishment and/or maintenance of the Port through the provision of highways, arterial roads, rail and public transit services."

**Modification 3**

No comment.

**Modification 4**

No comment.

**Modification 5**

At the outset, we are very concerned and disappointed that the land use designation and associated policies of Landfill Constraint Areas have been developed and proposed as part of modifications, and not as an amendment, without any consultation with The Hamilton Harbour Commissioners or the public. From a planning perspective, we are very surprised that no public meeting or other form of public consultation is proposed.



1992 August 25

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From our discussions and meeting with staff of the Ministry of the Environment, we understand that no technical reviews or investigations have been completed to determine the age, actual extent, contents, potential impacts, if any, and even existence of the identified landfill areas. We understand that the areas were identified by university students and through conversations with Regional and City staff.

Consequently, it is our position that prior to the designation of lands and surrounding areas, detailed field studies and research must be undertaken to verify the above information.

We are also concerned that the placement of the designation on lands of the Harbour Commissioners may lead to confusion given the various levels of government involved. In this respect, we request that the 500 metre zone be illustrated only on lands not owned by The Hamilton Harbour Commissioners since the Commissioners have their own internal procedures for the assessment, evaluation and screening of developments, capital works or changes in use. This code of practice is consistent with and will follow any and all applicable federal legislation and guidelines.

In summary, detailed investigations should first be completed. If the results demonstrate a need for further action, public consultation should occur. This consultation should ensure that any official plan amendments are co-ordinated with and take into account actions and plans of The Hamilton Harbour Commissioners with respect to these lands.

**Modification 6**

No comment.

**Modification 7**

This proposed modification is of some value, however the term bona fide should not be used since it will undoubtedly only lead to confusion as to what is bona fide shipping and navigation and what is not. We propose the following:

- "iii) shipping, navigation and port development uses by The Hamilton Harbour Commissioners, without purporting to limit the jurisdiction of the Parliament of Canada, the federal government, or The Hamilton Harbour Commissioners acting within the scope of the lawful jurisdiction in respect of shipping, navigation and port development matters in accordance with subsection D.8."

**Modification 8**

No comment.

1992 August 25

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**Modification 9**

No comment.

**Modification 10**

- i) The new designation should read "Shipping, Navigation and Port Development";
- ii) We have previously advised the Region and the City that the "Open Space" land use designation on Pier 8 is totally inappropriate since the Commissioners have no intent of using the terminal facility for anything but a shipping terminal within the planning horizon of the official plan. The "Open Space" designation does not recognize the investment and the current viable and successful use of the site, nor does it recognize the orderly development of shipping, navigation and port development activities.
- iii) Pier 24 and the Windermere Basin area should also be redesignated to "Shipping, Navigation and Port Development" since they are either now or will soon be part of viable shipping and port development components of The Hamilton Harbour Commissioners.
- iv) Finally, if any area of the port should be designated as "Shipping, Navigation and Port Development", it should be the open waters of the harbour. The harbour itself is used only for shipping and navigation uses and is fully under the ownership and control of The Hamilton Harbour Commissioners. Moreover, the reference in policy A.2.5.1 of the Official Plan to Ontario Regulation 118/70, as amended, is no longer applicable to the placement of fill materials in the Harbour. In Regina v. Hamilton Harbour Commission, June 10, 1977, Provincial Judge Ross Bennett on page 8 determined that:

"the legislation referred to in the Information is ultra vires in the Hamilton Regional Conservation Authority (sic) and the Province of Ontario, so far as it relates to that area described in schedule five of the regulations."

**Modification 11**

✓ See comments under the heading 'Modification 5'.

**Modification 12**

No comment.

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1992 August 25

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**Other Comments**

We recommend that Policy D.8.4 be deleted and replaced with the following policy:

"D.8.4      This Plan does not prohibit or otherwise attempt to regulate the use of land or Hamilton Harbour by The Hamilton Harbour Commissioners for shipping, navigation or port development purposes, as provided herein."

We recommend that Policy D.8.5 be amended by deleting the word bona fide and adding the words "and port development uses" after the word navigation since, as previously noted, the term bona fide will only lead to confusion and interpretation problems during the implementation of the official plan.

Should you wish to meet to discuss our comments and recommendations, please contact us at your convenience.

Yours very truly,

**THE HAMILTON HARBOUR COMMISSIONERS**

  
J. BROOKFIELD  
PORT PLANNER

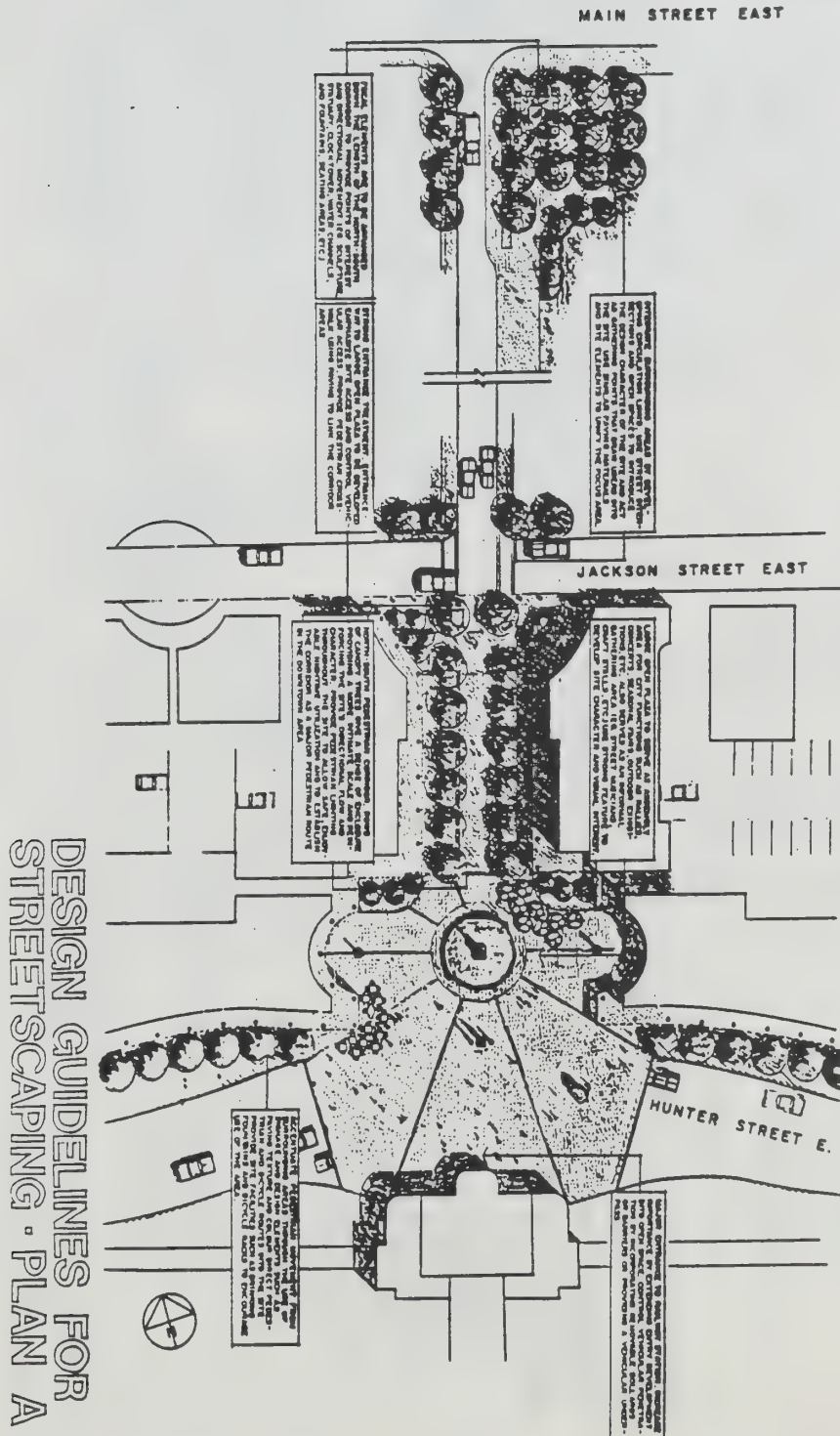
Enclosure

cc: Mr. Stanley Makuch  
Borden & Elliot  
Barristers and Solicitors

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1993 June 29

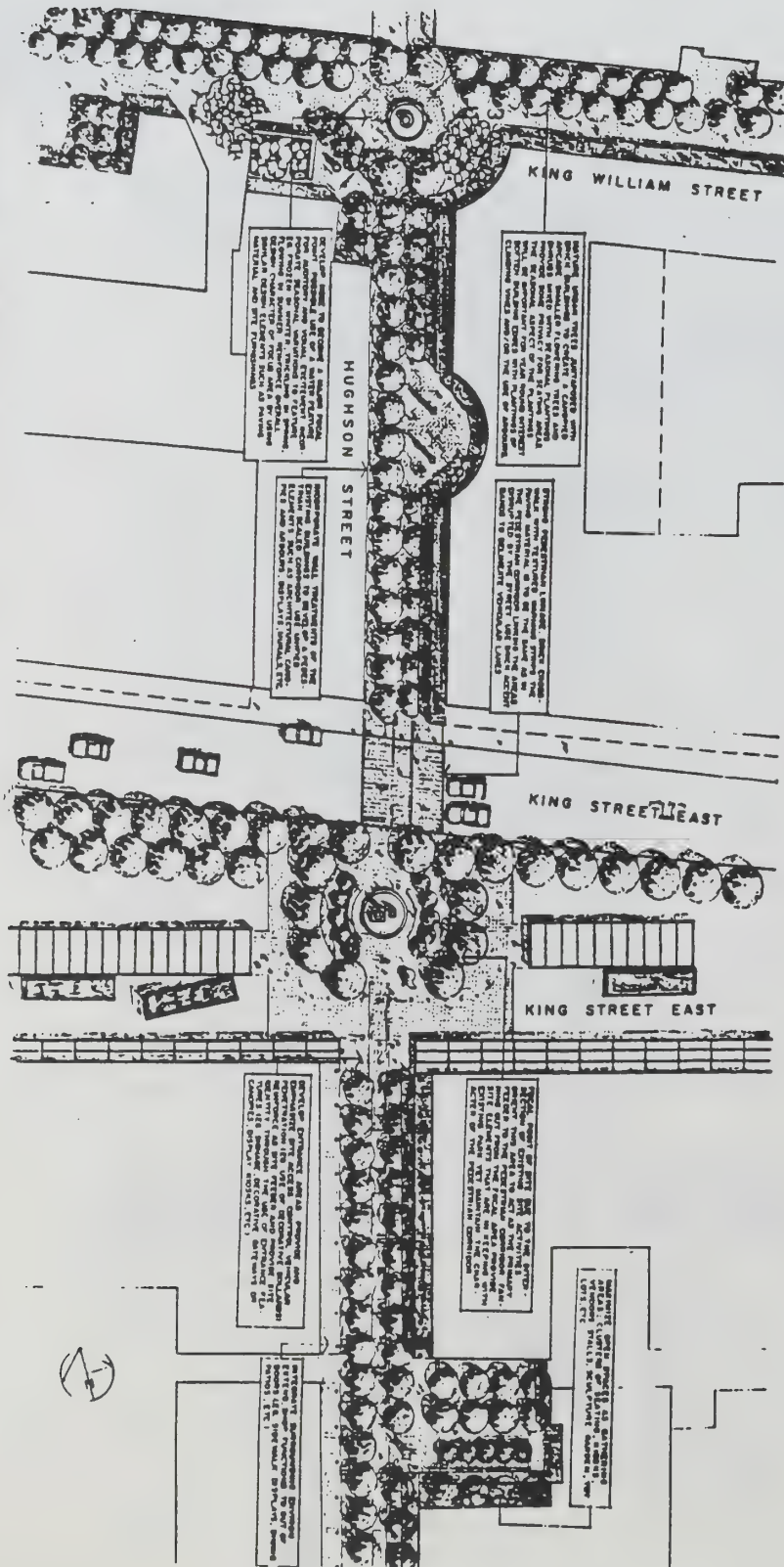
Appendix "F" as referred to  
in Section 7a of the **ELEVENTH**  
Report of the Planning and  
Development Committee for  
1993





1993 June 29

DESIGN GUIDELINES FOR  
STREETSCAPING - PLAN B



Appendix "G" as referred to  
in Section 7k of the **ELEVENTH**  
Report of the Planning and  
Development Committee for  
1993

(KING WILLIAM STREET TO MAIN STREET)

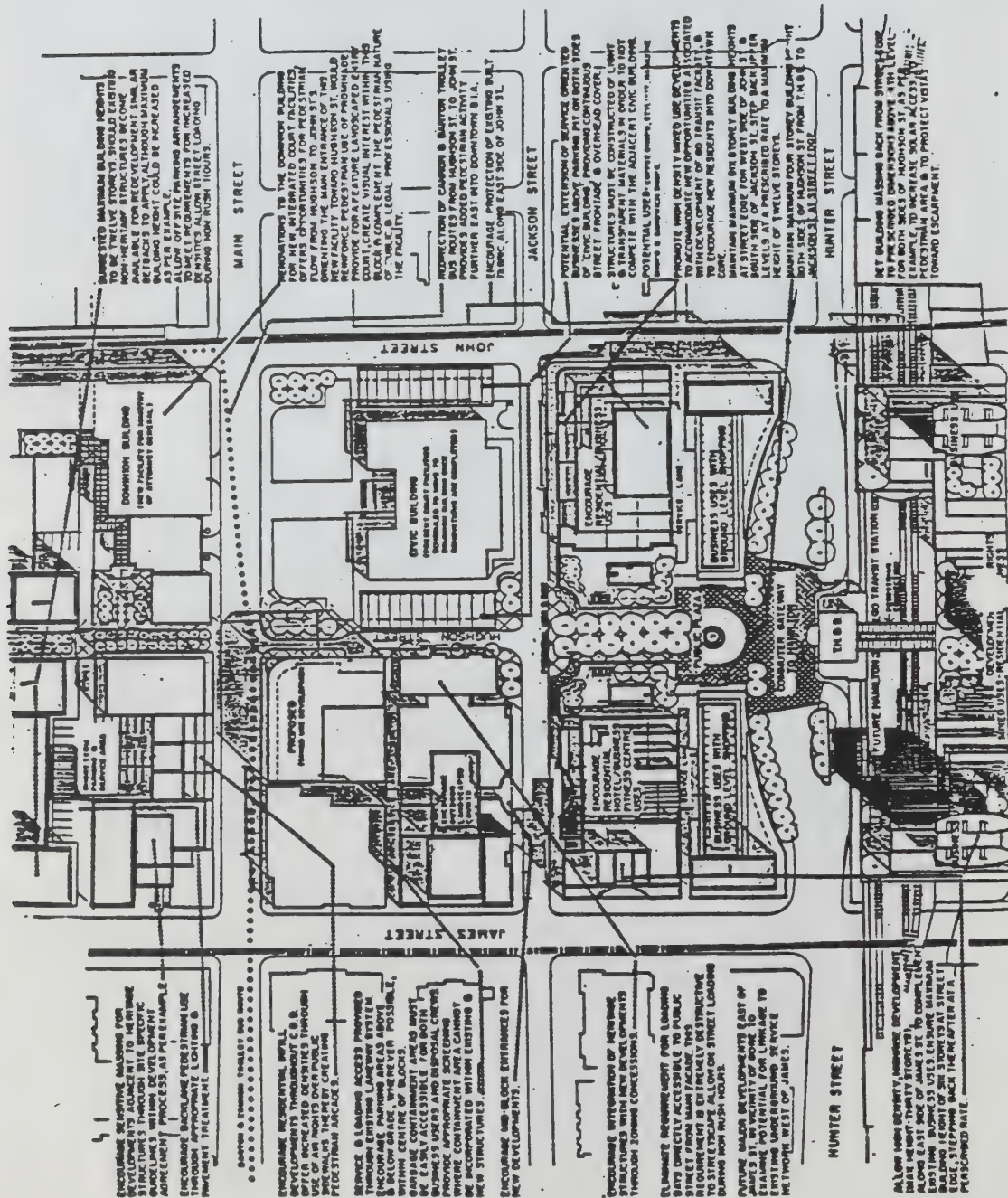




1993 June 29

## DEVELOPMENT CONCEPT PLAN

### (MAIN STREET TO HUNTER STREET)



[illegible]



1993 June 29

Appendix "H" as referred to  
in Section 9 of the ELEVENTH  
Report of the Planning and  
Development Committee for  
1993

## REASONS FOR DESIGNATION

### Barton Stone United Church Cemetery

#### 21 Stone Church Road West

The cemetery located to the south of Barton Stone United Church, on Upper James, was opened in 1847, when the church itself was completed. The cemetery and church together constitute one of the most noteworthy historic landmarks on Hamilton's Mountain and serve as a tangible reminder of the rural character of Barton Township, which is rapidly disappearing in the wake of urban development. The green open space of the cemetery, with its peaceful atmosphere, stone grave markers of varying design and size, and several trees, complements the adjacent stone church building.

The church and cemetery were once set further back from Upper James (originally the Caledonia Road), with a low stone wall running along the eastern and northern borders of the one-acre property. When this wall was removed in recent years due to its deteriorated condition, salvaged stones were used to construct decorative pillars for a new iron railing extending in front of the cemetery alone.

The cemetery, one of the oldest on Hamilton's Mountain, is part of the original acre of land purchased by the Presbyterians from Stephen Blackstone for a church and cemetery plot. The first gravestone was erected in 1847 for William Terryberry, a prosperous landowner and innkeeper. Prior to this, the Presbyterians of Barton Township were buried in William Rymal's cemetery on the Mohawk Trail, which was located next to the meeting house built in 1811 as a place of worship for Lutherans and Presbyterians.





1993 June 29

**REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **SECOND** Report for 1993 and respectfully recommends:

1. That the appeal by Dimitrios Nikolaidis for reinstatement on the Taxicab Priority List be denied.

Mr. Nikolaidis made a written request to the City of Hamilton Licensing Committee on 1993 January 8, for a hearing to appeal the removal of his name from the Taxicab Priority List. He stated that he had failed to renew his name on the list because he was away for two months due to family reasons.

Hearings were scheduled for Mr. Nikolaidis on three separate occasions at which he failed to appear. The Committee were advised that Mr. Nikolaidis had in fact failed to renew his name on the Priority List by 1991 September 30, and had subsequently been removed from the List.

The Licensing Committee considered Mr. Nikolaidis's letter, and in the absence of any additional evidence, and the fact that Mr. Nikolaidis had failed to attend three scheduled meetings, dismissed the appeal as abandoned.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN T. COOKE, CHAIRPERSON  
CITY OF HAMILTON LICENSING  
COMMITTEE**

**Stella Glover  
Secretary  
1993 June 9**









1993 June 29

**REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **THIRTEENTH** Report for 1993 and respectfully recommends:

1. (a) That the City of Hamilton pay the second installment of the fees for the Secretariat of the International Great Lakes St. Lawrence Mayors' Conference in the amount of \$5,555.65 and that it be charged to the Unclassified Account; and,  
  
(b) That the City of Hamilton, in conjunction with an American City, host the 1995 International Great Lakes Mayors' Conference in Hamilton.
2. That the City of Hamilton twin with Monterrey, Mexico and participate in the International Sisterhood Week ceremonies from 1993 October 4 to 7.
3. (a) That the 1992 Financial Report of the City of Hamilton, which has been distributed to all members of City Council, be received for information purposes; and,  
  
(b) That the City Treasurer arrange to publish on one occasion the required 1992 financial information, based on the audited report, in The Hamilton Spectator as soon as possible, but in any event, within sixty days of receiving the audited statements and in accordance with the regulations of the Ministry of Municipal Affairs; and,  
  
(c) That selected statements of the 1992 audited Financial Report be printed in brochure type report form for distribution to banks, other financial institutions and other interested parties.
4. That Outstanding Business Taxes in the amount of \$404,382.45 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to Account CH 53401 24106, Tax Write-offs.



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5.
  - (a) That the proposal of the Art Gallery of Hamilton to create a sculpture court on Commonwealth Square be approved; and,
  - (b) That the City of Hamilton provide funding estimated at \$110,000. as its share of the infrastructure required to prominently display 11 pieces of sculpture on Commonwealth Square valued at approximately \$2,000,000., thereby creating greater activity in the area, providing a more secure space and potentially reducing the vandalism costs to the City of approximately \$14,000. per annum; and,
  - (c) That the Treasurer recommend the method of financing.
6. That the Director of Property be authorized to proceed to sell the City owned properties at 290 and 296 Victoria Avenue North on the open market, as they have been deemed surplus to municipal requirements.
7.
  - (a) That the City of Hamilton renew the lease with the Hamilton Municipal Employees' Credit Union Limited, respecting the use of approximately 100 square feet of the area adjacent to the walkway between City Hall and the Football Hall of Fame; and,
  - (b) That the new term be for a period of five (5) years commencing 1993 March 26, and expiring 1998 March 25, at a rental rate of \$1,500. per year plus taxes of \$653.61 for 1993 and proceeds to be credited to Account No. CH 44104 31106 (Rental Civic Property - Civic Properties Rented); and,
  - (c) That the tenant shall have the option to renew the lease for a further five (5) year period with the rate and terms to be mutually agreed upon six (6) months prior to the expiry of the lease; and,
  - (d) That upon termination of the lease, the Lessee will remove its equipment and restore the site to its original state; and,
  - (e) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement in a form satisfactory to the City Solicitor.
8. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

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Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
(a) 319041001	C.U.P.- New Equipment/ Renovations	\$ 90,000.00	\$ 89,793.89	\$206.11	Reserve for Capital Projects
(b) 319241007	Asbestos Management Program-Civic Buildings	550,000.00	0.00	550,000.00	Reserve for Capital Projects
<b>TOTAL</b>				<b>550,206.11</b>	

9. (a) That purchase orders be issued for the replacement of four (4) Rear Loading Refuse Packers, for Fleet Services, being the lowest acceptable, based on the evaluated bid which includes Canadian Content, of nine (9) tenders received in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, as follows:
  - (i) Carrier Truck Centre, Brantford  
In the amount of \$249,642. for the replacement of three (3) units nos. 9118, 9121 and 9122, including trade-ins
  - (ii) Sheehan's Truck Centre, Stoney Creek  
In the amount of \$99,845.30 for the purchase of one (1) unit no. 9123 with no trade-in
- (b) That these expenditures be financed through Reserve for Mobile Equipment Account No. CH5X504 00101.
10. (a) That a purchase order be issued to Riddell Sheet Metal & Roofing Limited, Hamilton, in the amount of \$207,350., including a \$25,000. contingency, plus 7% GST, being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Reroof 125 Barton Street West Account No. CF3193 41011; and,
- (b) That a contract be entered into satisfactory to the City Solicitor.

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11. That purchase orders be issued, as follows, for the supply and delivery of various software packages as and when required by various departments for a 12 month term, being the lowest of ten tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, and be financed through various approved accounts:

(a) Time Computer, Toronto

Direct Access (5.1)	\$ 78.00
Lotus 1-2-3 Standalone (2.4)	375.00
MS DOS (5.0)	75.00
MS DOS License Packs	59.00
P.C. Tools Upgrade	75.00
ProComm Plus (2.0)	95.00
ProComm Plus Upgrade	45.00
Quarterdeck QZM 386 Memory Manager Upgrade	45.00
Windows (3.1)	99.00
Windows Upgrade	59.00
WordPerfect Standalone	325.00
WordPerfect Node	208.00
Wordperfect Server (5.1)	325.00

(b) Telecom Computer, Burlington

Central Point Anti-Virus (1.2)	\$106.00
Central Point Anti-Virus Upgrade	49.00
Direct Net Service Edition	433.00
Direct Access Upgrade	39.00
Lotus 1-2-3 Standalone, Upgrade to (2.4) only	113.00
Lotus 1-2-3 Node (2.4)	348.00
Lotus 1-2-3 Node Upgrade to (2.4) only	105.00
Lotus 1-2-3 Server (2.4)	476.00
Lotus 1-2-3 Server Upgrade to (2.4) only	106.00
Lotus License Packs	343.00
MS DOS Upgrade (5.0)	59.00
P.C. Tools Deluxe (8.0) with Central Point Anti-Virus	146.00
P.C. Tools (8.0) only	146.00
Quarterdeck QEMM 386	74.00
Windows - Upgrade	59.00
WordPerfect Upgrade - Standalone and Note	57.00
WordPerfect Server Upgrade	94.00
WordPerfect License	182.90



1993 June 29

12. That as referred to in Section 44 of the Eighth Report for 1993 of the Transport and Environment Committee, the City's share of "Allison Estates - Phase 1" Servicing, at a cost of \$142,744.15, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".
13. That as referred to in Section 51 of the Eighth Report for 1993 of the Transport and Environment Committee, the City Solicitor be authorized to prepare an appropriate By-Law to construct a finished roadway and concrete curbs on Dulgaren Street from Upper Sherman Avenue to approximately 72m Easterly under the Local Improvement Act at an estimated gross cost of \$62,300. with a City's share of \$35,350. to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$26,950. being the Owner's share, to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$26,950. for a term not to exceed 20 years for the above project.
14. That further to City Council direction on 1992 August 25, that upon registration of the Final Plan of Subdivision for Sandrina Gardens - Phase 1, the Treasurer pay to the owners the amount of \$122,600. for excess lands dedicated to the City for roadway purposes on Upper Gage Avenue, that Council approve the action of the Treasurer in financing this amount from the Reserve for Property Purchases, Centre 00102.
15. That as per the Statutory requirement of Section 17 of Bill 20 "An Act to provide for the Payment of Development Charges", the Development Charge Reserve Fund Statement for 1992, attached herewith and marked Appendix "A", be received by City Council for information purposes.
16. That as referred to in Section 45 of the Eighth Report for 1993 of the Transport and Environment Committee, the City's share of "Fieldway Drive" Servicing, at an additional cost of \$35,000., be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".
17. That as referred to in Section 43 of the Eighth Report for 1993 of the Transport and Environment Committee, the City's share of "Rymal Square Estates - Phase 4" Servicing for the land required to establish Acadia Drive as a public highway at a cost of \$57,000., be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".



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18. That the contract settlement of the Operative Plasterers' and Cement Masons' International Association of the United States and Canada Restoration Steeplejacks Local Union 172 and the Steeplejack and Masonry Restoration Contractors Association be received pursuant to the Fair Wage Policy of the City of Hamilton.
19. That the listing of Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1993 June 15, attached herewith and marked Appendix "B", be approved.
20. For the information of the members of City Council, the Finance and Administration Committee has appointed Dennis McIndless to replace Mary Sinclair as the Citizen Representative for the Disabled Community on the Taxi Advisory Committee for a term to expire 1994 November 30.
21. For the information of the members of City Council, the Finance and Administration Committee have approved the following appointments:
  - (a) That the following persons be appointed to fill the existing two vacancies on the Keep Hamilton Clean Committee for a term to expire 1994 November 30th:
    - (i) Jean Coruzzi
    - (ii) Michael Cuberovic
  - (b) That the following persons be appointed to fill the existing three vacancies on the Hamilton Status of Women Sub-Committee for a term to expire 1994 November 30th:
    - (i) Jean C. Blackmore
    - (ii) Gloria Earley-Wade
    - (iii) J. Elvira Krackovic
22.
  - (a) That approval be given to the request of the Women's Trust Foundation of Hamilton & Burlington to use the Council Chamber for the purpose of an address on the occasion of Person's Day from 11:00 a.m. - 2:00 p.m. on Monday, 1993 October 19, to be preceded by a buffet lunch and reception in the second floor lobby, which will be provided by the Women's Trust, for approximately two hundred (200) women; and,
  - (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

1993 June 29

23. (a) That approval be given to the action taken by the City Clerk in authorizing the flying of the Royal Canadian Air Force flag at City Hall from 1993 June 7 to June 13 on the occasion of Royal Canadian Air Force (Women's Division) Week; and,
  - (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
24. (a) That permission be granted to the Hamilton Status of Women Sub-Committee to use the Council Chambers on Saturday, 1993 November 13 from 10:00 o'clock a.m. to 3:00 o'clock p.m. for the purpose of conducting a Women in Politics Conference; and,
  - (b) That the City Clerk be authorized to approve of a similar use in future years, provided that it does not interfere with any other activity.
25. (a) That approval be given to the action taken by the City Clerk in authorizing the Communita Racalmutese Maria SS Del Monte to use the City Hall forecourt from approximately 2:00 p.m. to 6:00 p.m. on Sunday, 1993 June 20 for a reviewing stand during the Racalmutese Religious Festival; and,
  - (b) That the Manager of the Property Maintenance Division be authorized and directed to arrange for the erection of a reviewing stand and all other pertinencies on Sunday, 1993 June 20 for this Festival; and,
  - (c) That the City Clerk be authorized to approve of a similar use in future years provided it does not conflict with any other activity.
26. (a) That the Director of Property be authorized to operate the air conditioning units at the Hamilton Farmers' Market on a 24-hour basis, 7 days a week for the rest of the Summer; and,
  - (b) That the Treasurer and Director of Property closely monitor the additional costs of operating the units on the above-noted basis; and,
  - (c) That the Hamilton Farmers' Market Sub-Committee be directed to implement this additional cost into the Market's 1993 Current Operating Budget on a total cost recovery basis within the approved Market Budget; and,
  - (d) That the funding for this expenditure in future years be reflected in the 1994 Stallholder Rates.

27. (a) That Licence By-law 93-069 be amended to permit Public Halls to extend the hours of closing to 4:00 o'clock a.m. for the holding of a Provincially licensed Monte Carlo Lottery; and,
  - (b) That the City Solicitor be authorized to prepare the appropriate amending By-law for presentation to City Council.
28. (a) That the City of Hamilton pay \$500. for a publication on the inside first page of a Commemorative Programme Book being published by the Canadian Club of Hamilton for the National Convention of Canadian Clubs being hosted in Hamilton on 1993 September 23 - 25; and,
  - (b) That funding for this expenditure be charged to the Special Civic Receptions and Delegation Hostings Account No. CH55314 84010.
29. (a) That Licence By-law 93-069 be amended so as to provide for the deletion of the following categories of licences:
  - (i) Auctioneers
  - (ii) Barber Shops and Hairdressing Establishments
  - (iii) Drive-Self Rental Vehicles
  - (iv) Driving Schools and Instructors
  - (v) Tourist & Trailer Camps, Motels
  - (vi) Pet Shops
  - (vii) Dry Cleaning Establishments
  - (viii) Storage of Petroleum and Dangerous Substances
  - (ix) Laundries and Laundretorias
  - (x) Massagists
  - (xi) Special Sales
  - (xii) Salvage Dealers
  - (xiii) Flea Market Stallholders
- (b) That the City Solicitor be directed to prepare the appropriate amending By-law for presentation to City Council.



1993 June 29

30. (a) That maintenance for IBM computer equipment be authorized for payment to IBM Canada Ltd. (as the sole acceptable supplier) based on the following monthly rates (PST and GST extra):

<u>Account #</u>	<u>Description</u>	<u>Amount</u>
CH 57010 26020	Equipment Repair (Central Processing)	\$2,030./month
CH 57010 26020	Equipment Repair (Disk & Tape)	\$5,210./month
CH 57010 26020	Equipment Repair (Host Printing)	\$1,380./month
CH 57010 26020	Equipment Repair (Communications)	\$2,000./month
CH 57010 26020	Equipment Repair (Data Entry)	\$ 560./month

- (b) That the maintenance schedule be in effect for a 36 month period, starting 1993 July 1, with options for termination at the end of the term of Council or upon 30 days notice, subject to any discount penalties that may apply.
31. (a) That the monthly operating licence fees for IBM operating system and related software be authorized for payment to IBM Canada Ltd. for the term of Council based on the current monthly rates as follows (PST and GST extra):

<u>Account #</u>	<u>Description</u>	<u>Monthly Amount</u>
CH 26020-56005	CPU Software	\$ 26,400./month
CH 26022-56005	Software (Communications)	\$ 6,450./month
CH 26021-56099	Software (Business Systems)	\$ 3,600./month

- (b) That the software schedule in the licence agreement include a provision that any software may be cancelled, at any time, with 30 days notice.
32. (a) That an amount of \$10,000. be provided to assist in defraying costs associated with the hosting of the 1994 Canadian Association of Fire Chiefs Conference being held in the City of Hamilton 1994 July 31 to August 4; and,
- (b) That a further drawing privilege of up to \$20,000. be provided to assist in the promotional campaign and initial start up costs for this event. It is anticipated that these funds will be repaid from the 1994 operation revenues generated from sponsorships and advertising; and,
- (c) That the above amounts be financed from the reserve for "Hosting of Conferences with Municipal Subject Content", Account Centre 00126.



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33. (a) That City of Hamilton By-law 85-066, respecting Street Vendors, be amended as follows:
- (i) That each Street Vendor selling food products provide a disposal receptacle at each vending location; and,
  - (ii) That the street vendor's permit for each location be increased from \$300. to \$500. per year; and,
  - (iii) That the following criteria be used in the processing of a street vendor application for presentation to the Finance and Administration Committee for approval:
    - (1.) Type of products to be sold by the street vendor:  
Will consider diversity of products and the proximity to a business selling similar merchandise or food,
    - (2.) Design and quality of the street vendor cart:  
Will consider size, colour, construction, and material used and
    - (3.) The specific location requested by the street vendor:  
Will consider appropriateness of the location; its relationship to adjacent property, business and other street vendors, as well as public safety; and,
- (b) That the Parks and Recreation Committee be requested to consider giving permission for Street Vendors to sell at the following locations: Pier 4 Waterfront Park, Gore Park and Gage Park (Baseball Diamond on Lawrence Road, S/E Corner of Main and Gage and Gage and Cumberland); and,
- (c) That the City Clerk place an advertisement inviting applications for the Street Vendors Program; and,
- (d) That the City Solicitor be directed to prepare the appropriate amending By-law.
34. That the City Treasurer be authorized and directed to issue income tax receipts for donations received in support of the 1994 International Children's Games.

1993 June 29

35. (a) That the City of Hamilton exercise its rights as mortgagee of 177 Sherman Avenue North to sell the property under the power of sale in the mortgage; and,
- (b) That the Mayor and City Clerk be authorized to execute the Notices of Sale and related documents for purposes of carrying out the sale; and,
- (c) That if the mortgage debt is not redeemed by the Mortgagor:
- (i) That the Director of Property be authorized:
- (1.) To advertise the sale of the property;
- (2.) To negotiate for Offers to Purchase the property and to submit same for Council approval;
- (3.) To take such steps to take possession of the property, (if necessary), and to secure the property pending completion of the sale of the property.
- (ii) The City Treasurer be authorized to write off the balance of the loan and interest not recovered in the sale of the property by the City.
- (iii) The City Treasurer be authorized to pay off all outstanding realty tax arrears including penalty for the property of 177 Sherman Avenue North from the proceeds of the sale and any balance left from the proceeds of the sale be used to reduce deferred receivable and write off any outstanding balance from the Reserve for Working Fund.
36. (a) That the City proceed with the implementation of the mandatory changes to the Parking Violation System required under the Provincial Offences Act as amended by the Parking Infractions Statute Law Amendment Act, 1992; and,
- (b) That the Director of Information Systems be authorized to post an additional Data Entry Operator (Temporary) position in order to process the additional information required under the Act; and,
- (c) That staff review the requirements for full participation under the new Legislation which involves the assumption of additional responsibilities for collection and enforcement currently under the jurisdiction of the Provincial Court; and,

1993 June 29

- (d) That staff prepare a report and business case for designing a system for full participation at the \$4. Administration Fee Level under the new Legislation.
- 37.
- (a) That the City settle Ontario Court (General Division) Action No. 40065/92 by the payment to the Plaintiff, Audrey Harse, of \$3,737.20 inclusive of all damages, interest and costs; and,
  - (b) That the Plaintiff, Audrey Harse, be required to provide a Full and Final Release in a form satisfactory to the City Solicitor; and,
  - (c) That Ontario Court (General Division) Action No. 40065/92 be dismissed without costs.
38. That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 6893/89 on the following terms:
- (a) That the City pay to the Plaintiffs John Davidson, Harry Davidson and Carol Davidson, \$17,200., inclusive of damages, interest, disbursements and costs; and,
  - (b) That the Plaintiffs be required to execute a Full and Final Release of the City of Hamilton in a form satisfactory to the City Solicitor; and,
  - (c) That the Plaintiffs dismiss Ontario Court (General Division) Action No. 6893/89 as against the City of Hamilton without costs.
39. That the City agree to settle Ontario Court (General Division) Action No. 26932/91 on the following basis:
- (a) That the Plaintiff, Cathy Summers, shall provide a Full and Final Release to the City in a form satisfactory to the City Solicitor; and,
  - (b) That Ontario Court (General Division) Action No. 26932/91 shall be dismissed as against The Corporation of the City of Hamilton without costs.



40. (a) That pursuant to the provisions of By-Law 91-090, the City of Hamilton indemnify the Mayor for reasonable legal fees incurred in his defense of a complaint to the Human Rights Commission, Commission file No. 80-461-T, and Board of Inquiry file No. 920185; and,
- (b) That all accounts from the Mayor's solicitor be submitted to the City Solicitor for review and approval; and,
- (c) That the City Solicitor be authorized to pay such accounts, in accordance with the City's standing policy on payment of accounts, from time to time upon approval, or, if not satisfied, to submit such accounts to an Assessment Officer for Assessment prior to payment.
41. (a) That pursuant to the provisions of By-Law 91-090, the City Solicitor be directed to take over the defence of Alderman Tom Jackson in Ontario Court (General Division) Action No: 38313//92; and,
- (b) That pursuant to the provisions of By-law 91-090, the City of Hamilton indemnify Alderman Tom Jackson for reasonable legal fees incurred in his defence of Ontario Court (General Division) Action No: 38313/92 up to the date upon which the City Solicitor takes over his defence; and,
- (c) That all accounts from Alderman Jackson's solicitor be submitted to the City Solicitor for review and approval; and,
- (d) That the City Solicitor be authorized to pay such accounts, in accordance with the City's standing policy on payment of accounts upon approval, or, if not satisfied to submit such accounts to an Assessment Officer for assessment prior to payment.
42. That the Special Purpose Committee of the Mayor, Alderman F. Eisenberger, and Alderman F. D'Amico, as established and appointed by City Council at its meeting held Tuesday, 1992 October 27th (Section 23 of the 23rd Report of the Finance and Administration Committee) be further authorized to serve as the Tribunal to conduct all future Statutory Hearings in accordance with Section 4 of the Fire Department Act for the balance of the present term of City Council.



1993 June 29

43. That leave be granted to introduce the following Bills:

- (a) Bill H-43 A By-law to amend By-law No. 85-066 respecting Street Vendors.
- (b) Bill H-44 A By-law to authorize the Installation of Bleachers at Mohawk Sports Park.
- (c) Bill H-45 A By-law to amend Market By-law No. 92-310 respecting Market Hours.
- (d) Bill H-46 A By-law to amend By-law No. 79-323 as Consolidated in By-law No. 93-069 to Repeal various Trade and Business Licences.
- (e) Bill H-47 A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder  
Secretary  
1993 June 24**

Appendix "A" referred  
to in Section 15 of the  
THIRTEENTH Report of the  
Finance and Administration  
Committee for 1993.

DEVELOPMENT CHARGE RESERVE FUND  
STATEMENT OF CONTINUITY  
FOR THE YEAR ENDED DECEMBER 31, 1992

	Total \$	Recreational Facilities \$	Parks \$	Libraries \$	Fire Stations \$	Roads & Street Lighting \$	Traffic Building and Signs \$
Balance at the beginning of the year	\$2,262,833	\$558,546	\$304,976	\$211,482	\$448,069	\$687,807	\$51,953
Development charges received or receivable	1,255,716	393,610	214,919	149,033	141,897	344,123	12,134
Development charges refunded	(371,676)	(115,207)	(62,906)	(43,621)	(43,654)	(102,438)	(3,850)
Interest Earned	184,180	58,003	31,670	21,961	20,468	50,352	1,726
	3,331,053	894,952	488,659	338,855	566,780	979,844	61,963
Transferred to the capital fund	0	0	0	0	0	0	0
Amounts allocated to other services	0	0	0	0	0	0	0
Balance at the end of the year	\$3,331,053	\$894,952	\$488,659	\$338,855	\$566,780	\$979,844	\$61,963

## THE CORPORATION OF THE CITY OF HAMILTON

## APPOINTMENTS TO PERMANENT POSITIONS

Appendix "B" referred  
to in Section 19 of the  
THIRTEENTH Report of the  
Finance and Administration  
Committee for 1992.

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Iyad Abdel-Baki	I	Traffic Serviceman/ Woman II (IIC)	Traffic	Replacing Mr. S. Tinson - promoted March 22/93 - D. DiMascio terminated November 11/92	\$28,956.20 to \$31,989.88	May 24/93
Mr. Jeffrey Danby	I	Traffic Serviceman/ Woman II (IIC)	Traffic	Additional Staff Council Approved February 02/93	\$31,511.48 to \$35,808.24	May 10/93
Mr. John Della Pietra	I	Traffic Serviceman/ Woman II (IIC)	Traffic	Replacing Mr. G. Flynn - promoted, May 04/92 T. Durney, deceased August 17/93	\$28,956.20 to \$31,989.88	May 24/93
Mr. Michael Hunter	I	Forester II (D18)	Public Works	Replacing Mr. P. Lecomte promoted April 19/93 New Position Council Approved January 28/92	\$37,510.72	May 24/93

Prepared June 15/93

Status

Internal - I  
External - E

## THE CORPORATION OF THE CITY OF HAMILTON

## APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>EMPLOYEE STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. David Lavalles	I	Traffic Serviceman/ Woman II (IIC)	Traffic	Replacing Mr. J. Evereda - transferred, Jan 01/92 New Position Right Sizing Committee 1991	\$28,956.20 to \$31,989.88	May 24/93
Mr. Robert Stephenson	I	Traffic Serviceman/ Woman II (IIC)	Traffic	Replacing Mr. P. Baker - promoted, May 04/92 Mr. A. Runtica retired, Jan 01/92	\$28,956.20 to \$31,989.88	May 11/93

Prepared June 15/93

Status
Internal - I
External - E



THE CORPORATION OF THE CITY OF HAMILTON  
 TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. John Bolonzon	Motor Mechanic I	Fleet Services	Deceased	8 years, 7 months	May 31/93
Ms. Sheila Cartwright	Cleaner	Property	Resigned	2 years, 7 months	May 27/93
Ms. Patricia Empey	Stenographer III	Treasury	Retired	9 years, 9 months	May 31/93

Prepared June 15/93

Glossary of Terms

Terminated - long term disability  
 - discharge  
 - downsizing  
 - redundant

Resigned - personal betterment  
 - personal reasons





1993 June 29

## **REPORT OF THE NOMINATING COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **SECOND** Report for 1993 and respectfully recommends:

1. That Alderman \_\_\_\_\_ be appointed Chairman of the Committee of the Whole for a three (3) month term commencing July, 1993.

**RESPECTFULLY SUBMITTED**

**MAYOR R. M. MORROW  
CHAIRMAN, NOMINATING COMMITTEE**

J.J. Schatz, Secretary  
1993 June 29





1  
2  
3



4

5



**BILLS**

**CITY COUNCIL**

**1993 JUNE 29**

URBAN MONTHLY  
JUN 1993  
GOVERNMENT DOCUMENTS



**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 93-**

**TO STOP-UP, CLOSE, SELL AND RETAIN  
PART OF ELEANOR AVENUE BETWEEN RYMAL ROAD EAST AND ALMA STREET**

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1980, Chapter 302, to stop-up, close and retain any highway or part of a highway.

**AND WHEREAS** The Council of The Corporation of the City of Hamilton in adopting Item 2 of the 13th Report of The Transport and Environment Committee on October 9, 1990, authorized the City to stop-up, close and sale of the Public Highway, being Part of Eleanor Avenue, more particularly described as Parts 1 to 6, on Plan 62R-12366.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, approved at its meeting April 13, 1993, in adopting Items 24 and 26, of the 4th Report of the Transport and Environment Committee the sales to Elio Bachetti of Parts 1, 5 & 6, on Plan 62R-12366 for the sum of \$4.00 and to Lillian Mary Snyder of Part 4 on Plan 62R-12366 for the sum of \$4.00, respectively. All in accordance with and subject to the terms and conditions of an agreement dated March 19 & 29, 1993, subject to the highway closing and sale purchases in the Registry Act and the Municipal Act.

**AND WHEREAS** The Corporation of the City of Hamilton is the owner of the above described lands.

**AND WHEREAS** Notice of the City's intention to pass this By-Law has been published as required by Section 301 of The Municipal Act for four consecutive weeks; namely May 18, 25, June 1, and 8 1993.

**AND WHEREAS** the Council of the Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard no matter whether in objection to or in support of the By-Law.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The portion of the highway described as,  
  
Part of Eleanor Avenue designated as Parts 2, 3, 5 and 6, being Part of Eleanor Avenue, Registered Plan 853; Part 1, being Part of Lot 8, Concession 8, in the geographic Township of Barton and Part 4, being Part of Parcel "A", Registered Plan 1007, all shown on Plan 62R-12366.  
  
City of Hamilton  
  
Regional Municipality of Hamilton-Wentworth  
  
And hereby stopped and closed.
2. That the soil and freehold in those portions of the said portion of the closed highway described as Parts 1, 5 & 6, on Plan 62R-12366, be sold to Elio Bachetti, or their successors in title, for the sum of \$4.00 in accordance with the provisions of the agreement above noted.
3. That the soil and freehold in the said portion of the closed highway described as Part 4, on Plan 62R-12366, be sold to Lillian Mary Snyder, or her successors in title, for the sum of \$4.00 in accordance with the provisions of the agreement above noted.
4. That an easement over Parts 2 & 6, be granted to the Union Gas.



PAGE 2  
THE CORPORATION OF THE CITY OF HAMILTON  
BY-LAW NO. 93-

TO STOP-UP, CLOSE, SELL AND RETAIN  
PART OF ELEANOR AVENUE BETWEEN RYMAL ROAD EAST AND ALMA STREET

5. That the soil and freehold in the said portion of the closed highway be retained by the City.
6. This By-Law shall come into force and effect on the date of registration in the Land Registry Office for the Registry Division of Wentworth (No. 62).

PASSED this                      day of                      A.D. 1993.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO STOP-UP, CLOSE AND RETAIN  
ALL OF BLOCK 43, PLAN 62M-575 (PUBLIC WALKWAY)

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 301 of The Municipal Act, Revised Statutes of Ontario, 1980, Chapter 302, to stop-up, close and retain any highway or part of a highway.

**AND WHEREAS** The Council of The Corporation of the City of Hamilton in adopting Item 25 of the 2nd Report of The Transport and Environment Committee on February 9, 1993, authorized the City to stop-up, close and retain the Public Walkway, being Block 43, Plan 62M-575, more particularly described as Parts 1 & 2, on Plan 62R-12594.

**AND WHEREAS** The Corporation of the City of Hamilton is the owner of the above described lands.

**AND WHEREAS** Notice of the City's intention to pass this By-Law has been published as required by Section 301 of The Municipal Act for four consecutive weeks; namely May 25, June 1, 8, and 15 1993.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of the By-Law.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The portion of the highway described as,

All of Parcel Public Walkway -1, Section 62M-575.

Those parts of Block 43, Plan 62M-575, in the geographic Township of Barton, designated as Parts 1 & 2, on Plan 62R-12594.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Being All of the Parcel.

And hereby stopped, closed and retained.

2. This By-Law shall come into force and effect on the date of registration in the Land Registry Office for the Registry Division of Wentworth (No. 62).

PASSED this                      day of                      A.D. 1993.

City Clerk

Mayor

**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 93-**

**TO INCORPORATE PART 4, PLAN 62R-9668  
INTO CRERAR DRIVE**

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Crerar Drive by incorporating within its limits the lands described below;

**AND WHEREAS** the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Crerar Drive.

Part of Lot 11, Concession 7 (former geographic Township of Barton), designated as Part 4, on Plan 62R-9668.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

**PASSED** this                      day of                      A.D. 1993.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO INCORPORATE BLOCK 30, PLAN 62M-724  
INTO COLIN CRESCENT

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Colin Crescent by incorporating within its limits the lands described below;

**AND WHEREAS** the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Colin Crescent.

Part of Parcel Block 28-1, Section 62M-724.

Being all of Block 30, on Plan 62M-724.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Being Part of the Parcel.

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

**PASSED** this                      day of                      A.D. 1993.

City Clerk

Mayor



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO INCORPORATE BLOCK 25, PLAN 62M-539  
INTO IRONWOOD CRESCENT

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Ironwood Crescent by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Ironwood Crescent.

Part of Parcel Reserves -1, Section 62M-539.

Being all of Block 25, Plan 62M-539.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Being Part of the Parcel.

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1993.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO INCORPORATE BLOCK 19, 62M-505  
INTO LOWCREST AVENUE

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Lowcrest Avenue by incorporating within its limits the lands described below;

**AND WHEREAS** the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Lowcrest Avenue.

Part of Parcel Reserves -1, Section 62M-505.

All of Block 19, Plan 62M-505.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Being Part of the Parcel.

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

**PASSED** this                      day of                      A.D. 1993.

City Clerk

Mayor

**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 93-**

**TO INCORPORATE PART 1, PLAN 62R-12388  
INTO UPPER PARADISE**

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Upper Paradise by incorporating within its limits the lands described below;

**AND WHEREAS** the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Upper Paradise.

Part of Lot 1, Concession 1, (former geographic Township of Glanford) designated as Part 1, Plan 62R-12388.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

**PASSED** this                      day of                      A.D. 1993.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO INCORPORATE BLOCK 149, PLAN 62M-639  
INTO CADHAM BOULEVARD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Cadham Boulevard by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Cadham Boulevard.

Part of Parcel Reserves -1, Section 62M-639.

Being All of Block 149, Plan 62M-639.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Being Part of the Parcel.

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1993.

City Clerk

Mayor



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO INCORPORATE BLOCK 148, 62M-639  
INTO OSSINGTON DRIVE

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Ossington Drive by incorporating within its limits the lands described below;

**AND WHEREAS** the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Ossington Drive.

Part of Parcel Reserves -1, Section 62M-639.

All of Block 148, Plan 62M-639.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Being Part of the Parcel.

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1993.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO INCORPORATE BLOCK 21, PLAN 62M-719  
INTO LYNNETTE DRIVE

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Lynnette Drive by incorporating within its limits the lands described below;

**AND WHEREAS** the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Lynnette Drive.

Part of Parcel Reserves -1, Section 62M-719.

Being All of Block 21, Plan 62M-719.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Being Part of the Parcel.

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

**PASSED** this                      day of                      A.D. 1993.

City Clerk

Mayor

## BY-LAW NO. 93 -

## TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 34 (Sticker Permit Parking)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting therefrom the following items, namely:-

"Erin	West	commencing at a point 45 feet south of Melrose to a point 34 feet southerly therefrom	Anytime
Grant	East	commencing at a point 99 feet south of Delaware to a point 22 feet southerly therefrom	Anytime
San Remo	West	commencing at a point 98 feet south of San Francisco to a point 20 feet southerly therefrom	Anytime".

and by adding thereto the following items, namely:-

"Lyndhurst	West	commencing at a point 51 feet north of the south end of the sidewalk and extending to a point 23 feet northerly therefrom	Anytime
Garfield	West	commencing at a point 46 feet south of the north end to a point 21 feet southerly therefrom	Anytime
Ferrie	North	commencing at a point 224 feet west of Ferguson to a point 23 feet westerly therefrom	Anytime
West 3rd	West	Monarch to Wembley	Anytime
Douglas	East	Shaw to Burton	Anytime".

2. **Schedule 25A (Parking Time Limits)** is hereby amended:

- a) by adding to **Section 5 (One Hour Limit)** the following items, namely:-

"Market	South	Queen to 93 feet west
Robert	South	Cathcart to 137 feet east".

- b) by adding to **Section 14 (One Hour Limit)** the following item, namely:-

"West 1st	Both	Monarch to Wembley".
-----------	------	----------------------

- c) by adding to **Section 24 (One Hour Limit)** the following item, namely:-

"Beaverton	North	Upper Sherman to Acadia".
------------	-------	---------------------------

- d) by adding thereto the following subsection, namely:-

"30. Two Hour Limit between the hours of 9 o'clock in the forenoon and 4 o'clock in the afternoon on the following streets or parts of streets, excepting such parts of same where parking or stopping is prohibited.

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Laurier	East	Delmar to South Bend".

3. **Schedule 25B (Parking Time Limits)** is hereby amended:

- a) by adding to **Section 1 (Three Hour Limit)** the following item, namely:-

"East 42nd	East	Ninth to Tenth".
------------	------	------------------

- b) by adding to **Section 2 (Two Hour Limit)** the following item, namely:-

"Ray	West	Peter to Napier".
------	------	-------------------

- c) by adding thereto the following subsection, namely:-

"10. One Hour Limit, between the hours of 8 o'clock in the forenoon and 6 o'clock in the afternoon on the following streets or parts of streets, excepting such parts of same where parking or stopping is prohibited.

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
East 27th	West	Fennell to the extended south curb line of Mackenzie".

4. **Schedule 23 (Hamilton Street Railway Bus Stops)** is hereby amended adding to the OUTBOUND COLUMN the following items, namely:-

"Chester, S/S, 131 feet west of the centre line of Annabelle  
Chester, S/S, 83 feet west of the centre line of West 5th  
Chester, E/S, 259 feet north of the centre line of Harbottle (M/B)  
Chester, E/S, 89 feet north of the centre line of Stone Church (F/S)".

5. **Schedule 27 (Alternate Side Parking)** is hereby amended by deleting therefrom the following items, namely:-

"West 1st Wembley to McElroy	West	East
Glen Forest Drive End to End	West	East
Douglas Shaw Street to Mars Avenue	East	West".



and by adding thereto the following items, namely:-

"Douglas Burton to Mars	East	West
----------------------------	------	------

Glen Forest from a point 172 feet east of Glen Castle to Kingswood	West
--	------

Glen Forest from a point 190 feet east of Glen Castle to Kingswood	East
--	------

6. **Schedule 26 (No Parking Areas)** is hereby amended by adding to **Section A (No Parking Anytime)** the following items, namely:-

"Douglas Albright	West South	Shaw to Burton commencing at a point 130 feet east of Mount Albion to a point 90 feet easterly therefrom
Glen Forest	North	Glencastle to 172 feet east".

and by deleting therefrom the following item, namely:-

"Glen Forest	North	Glencastle to 137 feet east".
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**PASSED** this

day of

A.D. 1993.

CITY CLERK

MAYOR

BY-LAW NO. 93 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Section 28(1)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby deleted in its entirety and the following substituted therefor:

"28(1) In this part,

- (a) "quarter" means a twenty-five cent coin of lawful money of Canada or a twenty-five cent coin of the same approximate size, of lawful money of the United States of America;
- (b) "dollar coin" means a one hundred cent coin of lawful money of Canada;
- (c) "parking meter" means any automatic or other mechanical meter with the necessary standard for same, erected for the purpose of controlling and regulating the parking of any vehicle and measuring the parking time for which payment has been made."

2. **Section 30(5)** is hereby amended by striking out "and quarters" in the second line and by inserting in lieu thereof "quarters and dollar coins".

3. **Section 40(j)** is hereby amended by striking out "200" in the first line and by inserting in lieu thereof "250".

PASSED this

day of

A.D. 1993.

CITY CLERK

MAYOR

## BY-LAW NO. 93 -

## TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

## THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February, 1989 is hereby amended by adding thereto the following items, namely:-

"San Diego	Northbound	San Pedro -
Goulding	Southbound	San Pedro -
Templemead	Northbound and Southbound	Everest
Fiona	Northbound	Fiona/Joseph
Dromore	Eastbound and Westbound	Paisley
Leland	Northbound and Southbound	Ward
Stanlow	Northbound	Cranbrook
Highridge	Eastbound and Westbound	Donn
Golfcrest	Westbound	Glen Forest
Blackthorne	Northbound	Fieldway
Essling	Westbound	Brigade".

and by deleting therefrom the following item, namely:-

"Ward	Eastbound and Westbound	Leland".
-------	-------------------------	----------

2. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following items, namely:-

"Lawnhurst	South	Lawnview to a point 120 feet east
Essling	West	Borodino to a point 127 feet south".

and be deleting therefrom the following item, namely:-

"Harrison	South	Harmony to 59 ft. east	Anytime".
-----------	-------	------------------------	-----------

3. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following items, namely:-

"Strathearn	West	22 feet	212 feet south of the north end of the street	8:00 a.m. to 10:00 p.m.
East 23rd	West	26 feet	250 feet south of Concession	9:00 a.m. to 11:00 p.m.". .

PASSED this

day of

A.D. 1993.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED AT MUNICIPAL NO. 1157 RYMAL ROAD EAST**

**WHEREAS** it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-11" (Prestige Industrial) District provisions, as contained in Section 17C of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding Section 17C(1)(c) of By-law No. 6593, a billiard parlour shall be permitted.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-11" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1311.

4. Sheet No. E-59D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1311.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

**PASSED** this

day of

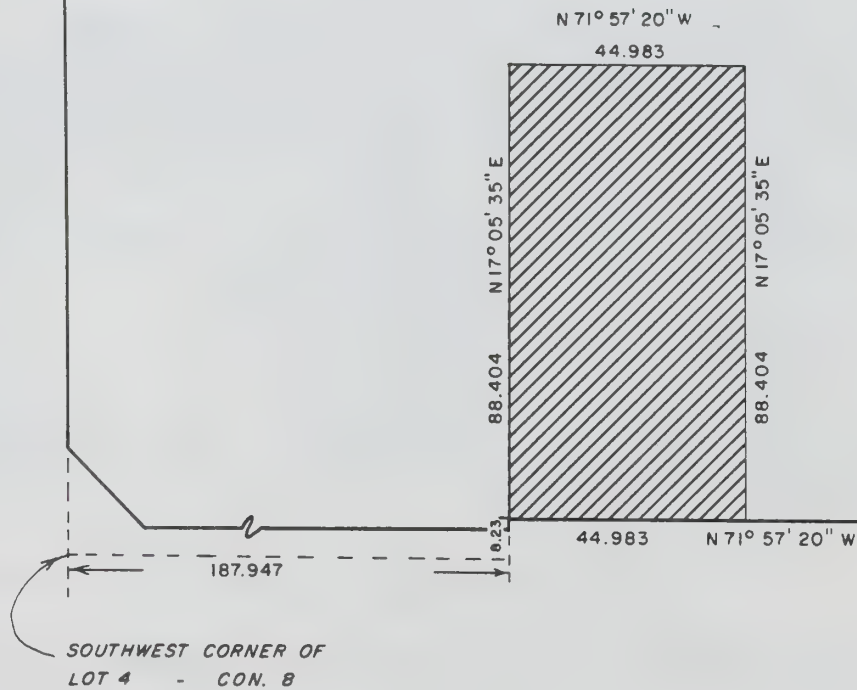
A.D. 1993

CITY CLERK

MAYOR



UPPER OTTAWA STREET



RYMAL ROAD EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93 - .....  
Passed the ..... day of ....., 1993.

.....  
Clerk

.....  
Mayor

City of Hamilton

Schedule A

Map Forming Part of  
By-Law No. 93 - .....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



Lands to be regulated by  
By-Law No. 93 - .....

North



Scale  
NOT TO SCALE

Date  
MAY 1993

Reference File No.  
ZAR 93 - 06

Drawn By  
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED AT MUNICIPAL NO. 29 SEVERN STREET**

**WHEREAS** it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The **"H"** (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14.(1) of By-law No. 6593, a multiple dwelling consisting of five (5) dwelling units shall be permitted;
- (b) Section 14.3(ii)(a) of By-law No. 6593 shall not apply to the northerly lot line;
- (c) notwithstanding Section 14.(3)(ii)(a) of By-law No. 6593, a side yard of a width of at least 1.2 m shall be provided and maintained along the southerly lot line;
- (d) notwithstanding Section 14.(3)(iii)(a) of By-law No. 6593, a rear yard depth of at least 6.2 m shall be provided and maintained;
- (e) notwithstanding Section 18A(1) of By-law No. 6593, not less than three (3) parking spaces shall be provided and maintained on the lot;
- (f) Section 18A(1)(c) of By-law No. 6593 shall not apply;
- (g) a landscaped area of not less than 25% of the lot area shall be provided and maintained at grade; and
- (h) a front yard not less than 5.0 m in depth shall be provided and maintained for any portion of the building above two (2) storeys in height.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1310.

4. Sheet No. W-3 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1310.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

A.D. 1993

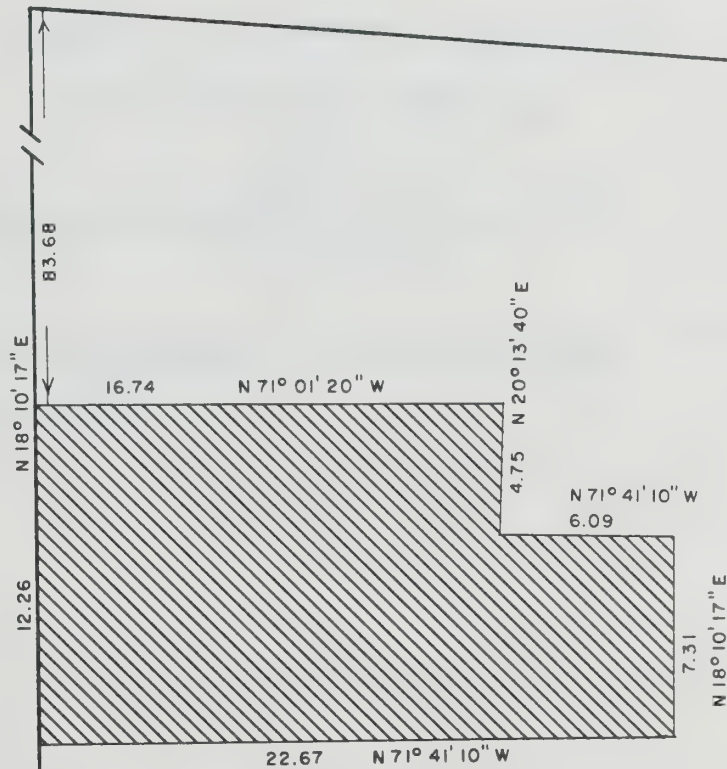
CITY CLERK

MAYOR

(1993) 9 R.P.D.C. 10, May 11  
 Leo Cascioli, Owner  
 Amended ZA-91-59

COLBOURNE STREET

SEVERN STREET



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93 - .....  
Passed the ..... day of ..... , 1993.

.....  
Clerk

.....  
Mayor

City of Hamilton

Schedule A

Map Forming Part of  
By-Law No. 93 - .....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



Lands to be regulated by  
By-Law No. 93 - .....

North



Scale  
NOT TO SCALE

Date  
MAY 1993

Reference File No.  
ZA 91 - 59

Drawn By  
Z.K.



The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Adopt:

Official Plan Amendment No. 121

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 1010-1024 UPPER WENTWORTH STREET,  
WITHIN THE BRULEVILLE NEIGHBOURHOOD

The Council of The Corporation of the City of Hamilton  
enacts as follows:

1. Amendment No. 121 to the Official Plan of the Hamilton  
Planning Area consisting of Schedule 1, hereto annexed and forming  
part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval  
of the Official Plan Amendment referred to in section 1 above, as  
may be requisite, be obtained and for the doing of all things for  
the purpose thereof.

PASSED this

day of

A.D. 1993

CITY CLERK

MAYOR

(1993) 10 R.P.D.C. 1, May 25  
891157 Ontario Inc. (Roy Yates), Owner  
Amended ZA-92-48

**Amendment No. 121**  
**to the**  
**City of Hamilton Official Plan**

The following text constitutes Official Plan Amendment No. 121.

**Purpose:**

The purpose of this Amendment is to modify Policy A.2.9.3.28 to add a "notwithstanding" clause to permit the development of a restaurant on lands situated at 1010-1024 Upper Wentworth Street.

**Location:**

The lands affected by this Amendment are known municipally as 1010-1024 Upper Wentworth Street, within the Bruleville Neighbourhood.

**Basis:**

The basis for allowing the development of a restaurant on the subject lands is as follows:

- 1) The proposed development is suitably located on a major arterial road; and,
- 2) It would be compatible with existing and proposed commercial development including retail commercial and highway commercial uses along this segment of Upper Wentworth Street.

**Actual Change:**

Policy A.2.9.3.28 of Subsection A.2.9.3 - Other Policy Areas be revised by adding the following to the end of the policy:

"Notwithstanding the provisions of Policy A.2.9.3.28, a restaurant will be considered a permitted use on lands known municipally as 1010-1024 Upper Wentworth Street."

The entire policy will read as follows:

A.2.9.3.28 Notwithstanding the permitted uses set out in Subsection A.2.2 (Commercial Uses), for those lands shown on Schedule "B" as SPECIAL POLICY AREA 33, high traffic generating commercial and public uses, such as restaurants and other places of assembly, will be prohibited. Further, it is intended that the number of new vehicular accesses onto Upper Wentworth Street from the affected lands will be limited.

However, for those lands known municipally as 849 and 853 Upper Wentworth Street, an automotive centre and restaurant will be permitted.

Notwithstanding the provisions of Policy A.2.9.3.28, a restaurant and tavern shall be considered a permitted use on those lands described as 986-998 Upper Wentworth Street.

Notwithstanding the provisions of Policy A.2.9.3.28, a restaurant will be considered a permitted use on lands known municipally as 1010-1024 Upper Wentworth Street.

**Implementation:**

A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 93- , passed on the day of , 1993.

**The Corporation of the**

**City of Hamilton**

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT  
MUNICIPAL NOS. 1010-1024 UPPER WENTWORTH STREET**

**WHEREAS** it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 85-171 on the 27th day of August 1985 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the lands located on the west side of Upper Wentworth Street, between Mohawk Road East and Limeridge Road East, in the vicinity of Kingfisher Drive, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 14th day of January 1986, (File No. R 850477);

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 10th Report of the Planning and Development Committee at its meeting held on the 25th day of May 1993, recommended that Zoning By-law No. 6593, as amended by By-law No. 85-171, be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 121, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18A of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "HH" (Restricted Community Shopping and Commercial) District to "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".



2. The "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District, referred to in Section 1. shall be subject to the special requirements that,

- (a) the applicant/owner shall apply for and receive approval of a Site Plan Control application from the City of Hamilton, and receive approvals and amendments where necessary for access to the lands from Regional Council, as required by the Roads Department;
- (b) upon completion of all of the matters contained in subclause 2.(a), the 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in Section 1. may proceed in accordance with the "HH" District provisions, subject to the special requirements referred to in Section 3. of this by-law and Section 2. of By-law No. 85-171.

3. The "HH" (Restricted Community Shopping and Commercial) District provisions, as contained in Section 14A of Zoning By-law No. 6593, as amended by By-law No. 85-171, applicable to the land referred to in section 1, are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14A(1) of By-law No. 6593 and Sections 2.(a)(ii)1. and 2.(a)(ii)3. of By-law No. 85-171, the following use shall be permitted:
  - 1. a restaurant without any dancing or other entertainment except music and having a maximum gross floor area of 375 m<sup>2</sup> (4,037 square feet);
- (b) a minimum 3.0 m (9.84 feet) wide landscape planting strip shall be provided and maintained along the southerly lot line;
- (c) a minimum 3.0 (9.84 feet) wide landscape planting strip shall be provided and maintained along the easterly lot line, except for access driveways;
- (d) a minimum 6.0 m (19.68 feet) wide landscape planting strip shall be provided and maintained along the westerly lot line;
- (e) a visual barrier of not less than 1.2 m (3.93 feet) in height and not more than 2.0 m (6.56 feet) in height shall be provided and maintained within the landscaped planting strip along the westerly lot line;
- (f) a visual barrier of not less than 1.2 m (3.93 feet) in height and not more than 2.0 m (6.56 feet) in height shall be provided and maintained along the southerly lot line; and,
- (g) notwithstanding Section 14A(1)(c) and Section 14A(3)(a) of By-law No. 6593, a second ground sign shall be permitted and shall provide a minimum front yard depth of 4.5 m (14.76 feet).

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in Section 3. of this by-law and Section 2. of By-law No. 85-171.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-922c.

6. Sheet No. E-18A of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-922c.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

**PASSED** this

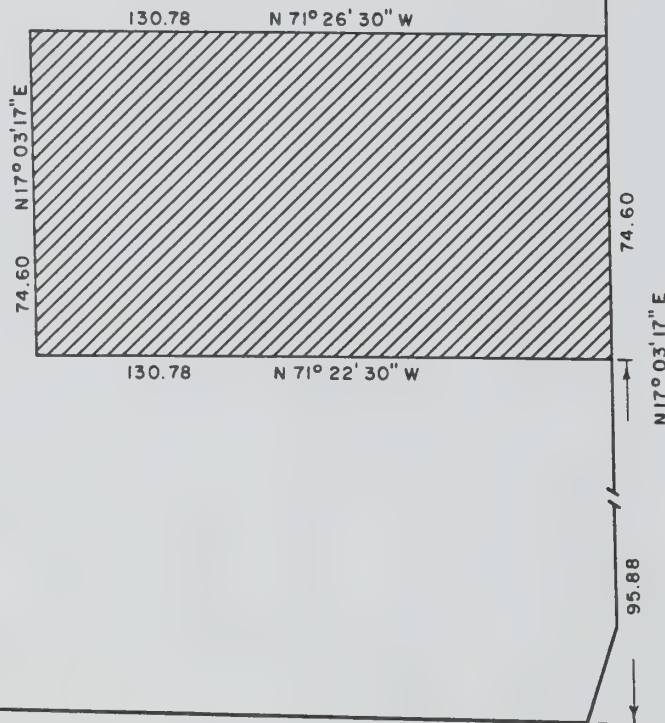
day of

A.D. 1993.

CITY CLERK

MAYOR

(1993) 10 R.P.D.C. 1, May 25  
891157 Ontario Inc.  
(Roy Yates), Owner  
Amended ZA-92-48  
-



UPPER WENTWORTH STREET

LIMERIDGE ROAD EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93-.....  
Passed the ..... day of ....., 1993.

.....  
Clerk

.....  
Mayor

City of Hamilton  
Schedule A

Map Forming Part of  
By-Law No. 93-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend

Change in zoning from:



"HH" (Restricted Community Shopping and  
Commercial ) District, modified, to "HH" - "H"  
(Restricted Community Shopping and Com-  
mercial - Holding) District, modified.

North



Scale  
NOT TO SCALE

Date  
MAY 1993

Reference File No.  
ZA 92-48

Drawn By  
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

**TOWNHOUSES IN MULTIPLE DWELLING DISTRICTS**

**WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, in adopting Section 4 of the 11th Report of the Planning and Development Committee at its meeting held on the 29th day of June 1993, recommended that By-law No. 6593 be amended to provide for a general text amendment to the said by-law by deleting townhouses and street townhouses as permitted uses in the "D" and "G" Districts, and by deleting townhouses, maisonettes and street townhouses as permitted uses in the "DE", "DE-2", "DE-3", "E", "E-1", "E-2" and "E-3" Districts as hereinafter provided;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District requirements as set out under Section 10 of Zoning By-law No. 6593 are amended by,

- (a) deleting the word "Townhouses" from the district title so that it shall read as "(URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS, ETC.)";
- (b) deleting Section 10.(1)(iii) in its entirety; and
- (c) adding thereto the following subsection:

**PRIOR EXISTING USES**

(8) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:

- (i) A Townhouse Dwelling subject to the "RT-10" District provisions;



- (ii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.

2. The "DE" (Low Density Multiple Dwellings) District requirements as set out under Section 10A of Zoning By-law No. 6593 are amended by,

- (a) deleting Section 10A.(1)(v) in its entirety; and
- (b) adding thereto the following subsection:

PRIOR EXISTING USES

- (8) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
  - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
  - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.

3. The "DE-2" (Multiple Dwellings) District requirements as set out under Section 10B of Zoning By-law No. 6593 are amended by,

- (a) deleting Section 10B.(1)(v) in its entirety; and
- (b) adding thereto the following subsection:

PRIOR EXISTING USES

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
  - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
  - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.

4. The "DE-3" (Multiple Dwellings) District requirements as set out under Section 10C of Zoning By-law No. 6593 are amended by,

- (a) deleting Section 10C.(1)(v) in its entirety; and
- (b) adding thereto the following subsection:

## PRIOR EXISTING USES

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
  - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
  - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (10) Notwithstanding subsection (9), those lands located at Nos. 384-390 Limeridge Road East shall be deemed a "PRIOR EXISTING USE".

5. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District requirements as set out under Section 11 of Zoning By-law No. 6593 are amended by,

- (a) deleting Section 11.(1)(iia) in its entirety; and
- (b) adding thereto the following subsection:

## PRIOR EXISTING USES

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
  - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
  - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.

6. The "E-2" (Multiple Dwellings) District requirements as set out under Section 11B of Zoning By-law No. 6593 are amended by,

- (a) deleting Section 11B.(1)(v) in its entirety; and
- (b) adding thereto the following subsection:

## PRIOR EXISTING USES

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;

- (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
  - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (10) Notwithstanding subsection (9), those lands located at No. 1620 Upper Wentworth Street shall be deemed a "PRIOR EXISTING USE".

7. The "G" (Neighbourhood Shopping Centre, etc.) District requirements as set out under Section 13 of Zoning By-law No. 6593 are amended by adding thereto the following subsection:

#### PRIOR EXISTING USES

- (7) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
- (i) A Townhouse Dwelling subject to the "RT-10" District provisions;
  - (ii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (8) Notwithstanding subsection (7), those lands located at No. 2774 King Street East shall be deemed a "PRIOR EXISTING USE".

8. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

9. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

A.D. 1993

CITY CLERK

MAYOR

(1993) 11 R.P.D.C. 4 , June 29  
CI-93-A

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend By-law No. 93-032

Respecting:

**PLANNING FEES**

**WHEREAS** By-law No. 93-032 was enacted on the 12th day of January 1993 to establish a Tariff of Planning Fees;

**AND WHEREAS** The Council of The Corporation of the City of Hamilton, on May 11, 1993, in adopting Item 4 of the 9th Report of the Planning and Development Committee, authorized this By-law;

**NOW THEREFORE** the Council of the Corporation of the City of Hamilton enacts as follows:

Section 1 of By-law No. 93-032 is amended by adding the following subsection:

"11. Request by the Applicant or agent of an Official Plan Amendment or a Rezoning Application to cancel a public meeting.

(i) Fee per public notice  
recirculation . . . . . \$250.00"

**PASSED** this . . . . . day of . . . . . 1993.

**CITY CLERK**

**MAYOR**



The Corporation of the City of Hamilton

BY-LAW NO.

To authorize:

DEMOLITION AND CLEARING OF  
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT:

275 BAY STREET NORTH

**WHEREAS** a Notice dated the 30th Day of October, 1992 was served or caused to be served in accordance with Subsection 6 of Section 31 of The Planning Act, 1983:

**AND WHEREAS** an Order dated the 25th of November 1992 was served or caused to be served in accordance with Subsection 7 of Section 31 of the said Act:

**AND WHEREAS** an appeal has been made from the said Order in accordance with Subsection 16 of Section 31 of the said Act:

**AND WHEREAS** a hearing was held on the 28th of January, 1993 by the Property Standards Committee in accordance with Subsection 17 of Section 31 of the said Act;

**AND WHEREAS** the Property Standards Committee confirmed the Order in accordance with Subsection 17 of Section 31 of the said Act;

**AND WHEREAS** no appeal has been lodged with a Judge of the Judicial District pursuant to Subsection 18 of Section 31 of the said Act;

**AND WHEREAS** the Order is now deemed to be final and binding pursuant to Subsection 19 of Section 31 of the said Act;

**AND WHEREAS** the buildings and structures situate on the land more particularly described in Schedule "A" have not been repaired or demolished and the site cleared as required by the said Order;

**AND WHEREAS** the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-Law No. 74-74, and are in a ruinous and deteriorated condition;

**AND WHEREAS** in accordance with Subsection 20 of Section 31 of the said Act, the Corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

**AND WHEREAS** it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

**AND WHEREAS** pursuant to Clause (c) of Section 36 of the Property Standards By-Law No. 74-74, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

...../2

**NOW THEREFORE** the Council of the Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land known as municipal number 275 Bay Street North, more particularly described in the attached Schedule "A", and to leave the land in a graded and levelled condition.
2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED

this day of

A.D. 1993

CITY CLERK

MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend By-law No. 85-066

**RESPECTING STREET VENDORS**

**WHEREAS** the City of Hamilton permits street vending under agreements approved by Council;

**AND WHEREAS** it is desirable to amend the provisions of By-law 85-066 respecting street vending, as amended by By-law 85-181 and 86-154, respecting fees, regulations, and the processing of applications;

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 7 of By-law 85-066, as repealed in By-law 86-154 is replaced with the following:

" 7. (1) Upon receipt of a completed application, including all prescribed information and the prescribed fee, the Issuer of Licences shall review the application and provide a report, after consulting with other departments of the Corporation of the City of Hamilton and the Regional Municipality as necessary.

(2) The report of the Issuer of Licences shall address the following:

(a) Considering the type of products sold, will the street vendor add to the diversity of goods available from businesses in the proximity of the location;

(b) Considering the design and quality of the street vendors stand, will the stand add colour and diversity, in addition to considering the design and quality of construction and materials, the size of the stand, and its relation to other stands in the area.

(c) Considering the location at which street vending is proposed, is the location suitable for street vending, and appropriate for the particular type of street vending proposed, in addition to considering public safety and public need for the property, its relationship to adjacent property or businesses, and other street vendors."

(3) The location designated in a street vending permit must be one approved by Council.

2. Section 16 of By-law 85-066, as amended in By-law 85-181 and repealed in By-law 86-154, is replaced with the following:

"16. Every street vendor selling food shall provide a receptacle for garbage at each of their stands, for the use of customers."

3. Section 22 of By-law 85-066, as amended in By-law 86-154, is repealed and replaced with the following:

"22. The fee payable by a street vendor for the issuance, renewal or extension of a Permit, for each stand, is \$500.00."

4. In all other respects, By-law No. 85-066 as amended, is hereby confirmed without change.

**PASSED** this

day of

A.D. 1993.

CITY CLERK

MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Authorize:

THE INSTALLATION OF BLEACHERS  
AT MOHAWK SPORTS PARK

WHEREAS the Ontario Municipal Board by Order dated the 28th day of March 1991, (File No. E 910208), approved,

- (a) the installation of floodlighting and bleachers at Mohawk Sports Park at an estimated cost of \$470,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures to a maximum of \$470,000.00 for a term not to exceed twenty years by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

AND WHEREAS the Council of The Corporation of the City of Hamilton enacted By-law No. 91-210 on October 29, 1991 to authorize the installation of flood lighting at Mohawk Sports Park at the cost of \$84,900.00;

AND WHEREAS the Council of The Corporation of the City of Hamilton enacted By-law No. 92-285 on November 24, 1992, to re-zone the Mohawk Sports Park;

AND WHEREAS the total cost of the floodlighting and the bleachers will not exceed \$470,000.00;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the installation of bleachers at Mohawk Sports Park, which cost will not exceed \$385,100.00, may now be proceeded with in accordance with the Ontario Municipal Board Order dated the 28th day of March 1991.
2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      , 1993.

- City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Market By-law No. 92-310

Respecting:

**MARKET HOURS**

**WHEREAS** Section 210, paragraph 72 of the Municipal Act, Chapter M.45 provides as follows:

210. By-laws may be passed by the councils of local municipalities:

65. For establishing, maintaining and operating markets and for regulating such markets and any other markets located within the municipality;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 92-310 on the 8th day of December 1992 to regulate the Hamilton Farmers' Market;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton in adopting Section 16 of the 13th Report of the Finance and Administration Committee at its meeting held on the 26th day of May 1992 recommended that By-law No. 81-180, as amended, be further amended to change the hours of operation for the Hamilton Farmers' Market.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5a. (1) of By-law No. 92-310, as amended, is further amended by repealing and substituting therefor the following:

5a. (1) The market hours for customers shall be as follows:

1. From 7:00 o'clock in the forenoon to 6:00 o'clock in the afternoon of the same day on Tuesday and Thursday;
2. From 7:00 o'clock in the forenoon to 6:00 o'clock in the afternoon of the same day on Friday; and
3. From 6:00 o'clock in the forenoon to 6:00 o'clock in the afternoon of the same day on Saturday.

2. Subsection 5a. (2) of By-law No. 92-310, as amended, is further amended by repealing and substituting therefor the following:

5a. (2) The market hours for stallholders shall be as follows:

1. Except as provided in paragraphs 2, 3 and 4, from 4:00 o'clock in the forenoon to 6:00 o'clock in the afternoon of the same day.
2. On Saturdays from 3:00 o'clock in the forenoon to 6:00 o'clock in the afternoon of the same day.
3. From 12:00 o'clock midnight on market days immediately preceding a statutory holiday to 6:00 o'clock in the afternoon of the same day.
4. During peak season, for such periods of time as are designated by the Market Manager.

3. In all other respects, By-law No. 92-310, as amended, is hereby confirmed, unchanged.

4. This by-law comes into force and effect on the 1st day of June 1992.

PASSED this

day of

A.D. 1993

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

By-law No. 79-323 as Consolidated in By-law No. 93-069

**TO REPEAL VARIOUS TRADE AND BUSINESS LICENCES**

**WHEREAS** the City of Hamilton licences and regulates various trades and businesses under schedules of By-law 93-069 as amended, being a consolidation of By-law 79-323, the City of Hamilton Licensing Code;

**AND WHEREAS** it is desirable to no longer licence certain trades or businesses;

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

**General**

1. Schedules 1, 2, 6, 7, 21, 23, 25, 26, 27, 29, and 40 to Licensing By-law No. 93-069 as amended, are repealed.
2. Appendixes "A", "B" and "C" to Schedule 40, as contained in Schedule 44 of Licensing By-law No. 93-069 as amended, being forms used in Schedule 40, are repealed.
3. Sections 1, 2, 6, 7, 21, 23, 25, 26, 27, 29, and 40 of Schedule 45 to Licensing By-law No. 93-069 as amended, being the fees and charges under the Schedules listed in section 1 of this by-law, are repealed.

**Flea Market Stallholders and Salvage and Secondhand Goods Dealers**

4. Schedule 17 to Licensing By-law No. 93-069 as amended, is amended by repealing the words "second-hand goods shop or dealer in second-hand goods" in subsections 2(1) and 4(1) and replacing them with the words "or second-hand goods shop".
5. Section 7 of Schedule 17, and subsections 2(2), 5(2) and section 3a of Schedule 43, to Licensing By-law No. 93-069 as amended, are repealed.
6. Subsection 7(2) of Schedule 43 to Licensing By-law No. 93-069 as amended, is further amended by deleting the words "and stallholder" in the first line.
7. Subsections 17(1), 17(2), and 43(2) of Schedule 45 to Licensing By-law No. 93-069 as amended, are repealed.
8. In all other respects, Licensing By-law No. 93-069 as amended, is hereby confirmed without change.

**PASSED** this

day of

A.D. 1993.

CITY CLERK

MAYOR



BY-LAW NO. 93 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 29TH DAY OF JUNE A.D., 1993.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this            29th                                    day of    June                                    A.D. 1993

CITY CLERK

MAYOR





URBAN/MUNICIPAL

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*The Urban/Municipal Collection  
2nd Floor  
Hamilton Public Library*

**MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1993 July 27  
7:30 o'clock p.m.  
Council Chambers, City Hall**

**J. J. Schatz  
City Clerk**

**A G E N D A**

**1. National Anthem**

**2. Opening Prayer**

Rev. Trent Walker  
Bethel African Methodist Episcopal Church

**3. Proclamation**

- World Breastfeeding Week - 1993 August 1 - 7

**4. Minutes**

1993 June 29 - regular meeting  
1993 July 20 - special meeting





- 5. Petitions and Correspondence**
- 6. Reports of the Standing Committees**
  - (a) Transport and Environment Committee
  - (b) Parks and Recreation Committee
  - (c) Planning and Development Committee
  - (e) Licensing Committee
  - (f) Mayor's Race Relations Committee
  - (h) Finance and Administration Committee
- 7. Notices of Motion for Next Meeting**
- 8. First Reading of the Bills**
- 9. Second Reading of the Bills - Committee of the Whole**
- 10. Third Reading of the Bills**
- 11. Question Period**
- 12. Adjournment.**



# MINUTES





Minutes of Hamilton City Council  
1993 June 29th  
7:30 o'clock p.m.  
Council Chambers, City Hall

The Council met:

Present: Mayor Robert M. Morrow  
Aldermen Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino,  
Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Absent: Alderman Cooke - vacation  
Alderman Eisenberger - vacation

Mayor R. M. Morrow called the meeting to order.

\* \* \* \* \*

The National Anthem was played.

\* \* \* \* \*

Father A. J. Smith, St. Patrick's Roman Catholic Church led Council in Prayer.

\* \* \* \* \*

The "Distinguished Budget Presentation Award" was made to the City of Hamilton by Mayor Morrow on behalf of the Government Finance Officers Association of the United States and Canada. Nik Adhya, Manager of Budgets, Kevin Beattie, Budget Officer and Colin Kerr, Budget Analyst all of the Treasury Department were called forward to accept the Award.

\* \* \* \* \*

Mayor Morrow presented a Certificate of Recognition to Christine McFarlane, President of Regal Cruises and Travel for receiving the 1993 National Cruise Vacation Month Grand Prize.

\* \* \* \* \*

1993 June 29

Mayor Morrow called upon Alderman D. Agostino, Chairperson, Hamilton Farmers' Market Sub-Committee to accept a Certificate of Recognition on behalf of Bud Hubbard for serving as a representative of the Stallholder's Association on the Hamilton Farmer's Market Sub-Committee for over 10 years.

\* \* \* \* \*

Mayor Morrow called upon Alderman D. Drury, Chairperson, Taxi Advisory Committee to present the Robert Van Kleef Taxi Industry Professional Awards Trophy and Certificates of Recognition to the following three 1992 Award winners in the categories indicated below:

Executive/Administrator/Contribution of the Year  
Florence (Bonnie) Urban

Dispatcher/Call Taker of the Year  
Bill Robertson

Cab Driver of the Year  
Elizabeth Bertrand

\* \* \* \* \*

Mayor Morrow presented a City of Hamilton flag to Burke Austin, President; Zea Matwiyiw, Vice President and Bob Moore, Fundraising Chair, Beach Strip Woodward Community Association on the occasion of the reopening of Van Wagners Beach Swimming Pool.

\* \* \* \* \*

The minutes of the Regular meeting of 1993 May 25 were adopted as circulated.

\* \* \* \* \*

<p><b>CORRESPONDENCE</b></p>
------------------------------

1. Application dated 1993 May 20 from 304 Victoria Avenue North Holdings Ltd., Hamilton, Ontario for a further modification to the "H" (Community Shopping and Commercial, etc.) District regulations for property located at No. 304 Victoria Avenue North, Hamilton, Ontario.

**Recommendation: Received.**

2. Application dated 1993 May 31 from Dr. Steve Marcogliese, Hamilton, Ontario for a modification to the established "C" (Urban Protected Residential, etc.) District regulations for property at No. 792 Upper Gage Avenue, Hamilton, Ontario.

**Recommendation: Received.**

3. Application dated 1993 June 8 from Mr. and Mrs. Mike Trikas, Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District, modified to "G-4" (Designed Neighbourhood Shopping Area) modified for property located at Nos. 952-954 Concession Street, Hamilton, Ontario.

**Recommendation: Received.**

4. Application dated 1993 June 10 from Antonietta Mastroianni, Frank Mastroianni, Olimpia Cavoto, Diodoro Cavoto for a change in zoning from "AA" (Agricultural) District modified to "R-4" (Small Lot Single-Family Detached) District for lands located at the rear of No. 1462 Upper Sherman Avenue, Hamilton, Ontario.

**Recommendation: Received.**



5. Application dated 1993 June 15 from Christian Home Association of Mount Hamilton for a change in zoning from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District modified for lands located at part of No. 1411 Upper Wellington Street, Hamilton, Ontario.

**Recommendation: Received.**

6. Application dated 1993 June 23 from Don Newman c/o Newman Developments, Oakville, Ontario for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District modified for property located at No. 145 MacNab Street North, Hamilton, Ontario.

**Recommendation: Received.**

7. Petition dated May, 1993 from Huntington Park School Staff re: Blue Moon Video, Upper Gage Avenue.

**Recommendation: Received.**

8. Letter dated 1993 June 17 from Nick DeFilippis requesting reconsideration of Section 10 of the Ninth Report of the Planning and Development Committee for 1993 with respect to the rezoning of 29 Severn Street, Hamilton which was adopted by City Council 1993 May 11.

**Recommendation: Received.**

9. Letter from the Council of Hamilton Business Improvement Areas dated 1993 June 28th, requesting a meeting to discuss the recommendation of the Planning and Development Committee to defer the expenditure of \$458,000 from the Commercial Improvement Programme as outlined in Section 8 of the Eleventh Report of the Planning and Development Committee.

**Recommendation: Referred to the Planning and Development Comm.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Copps that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole be now considered in Committee of the Whole with Alderman Ross in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

<b>TRANSPORT AND ENVIRONMENT COMMITTEE - EIGHTH REPORT</b>
--

Section 58 Re: 912613 Ontario Ltd. - Certificate of Approval to Operate a Waste Disposal Site

Alderman Agro declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Agro acted in the capacity of insurance advisor for some of the principles of the Corporation.

Recorded vote.

YEAS: Mayor Morrow, Aldermen McCulloch, Drury, Morelli, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Kiss, Copps. -2.

CARRIED.

\* \* \* \* \*

**Section 65 Re: Offer to Purchase (Highway Closure) - Beckley Street - Toronto Area Transit Operating Authority**

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting. Alderman Jackson owns and operates a business in this area.

**PARKS AND RECREATION COMMITTEE - ELEVENTH REPORT**

**Section 1 Re: Sell food and alcoholic beverages - Annual Picnic - Hamilton Rotary Club - Pier 4 Park.**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -14.

**NAYS:** Alderman Jackson. -1.

**CARRIED.**

\* \* \* \* \*

**Section 2 Re: Sell alcoholic beverages - Hamilton Wentworth Adult Slo-Pitch - Globe Park**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -14.

**NAYS:** Alderman Jackson. -1.

**CARRIED.**

\* \* \* \* \*

**Section 3 Re: Sell beer - Hamilton-Wentworth Police Association - Baseball Tournament -Globe Park**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -14.

**NAYS:** Alderman Jackson, -1. **CARRIED.**

✻ ✻ ✻ ✻ ✻ ✻ ✻ ✻ ✻ ✻

**Section 4 Re: Sell beer - Montgomery Park Neighbourhood Committee - Montgomery Park.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -14.

**NAYS:** Alderman Jackson, -1. **CARRIED.**

\* \* \* \* \*

**Section 10 Re: Lawn Bowling Clubs - 1994 Transfer of daily maintenance services to a volunteer base**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -12.

**NAYS:** Aldermen Kiss, Copps, Wilson. -3. **CARRIED.**



**PARKS AND RECREATION COMMITTEE - TWELFTH REPORT**

**PLANNING AND DEVELOPMENT COMMITTEE - ELEVENTH REPORT**

**Section 4 Re: City Initiative 93-A Re: General text amendment respecting townhouses in Multiple Dwelling Districts**

It was moved by Alderman Drury and seconded by Alderman Merling that Sections 4 and 20(e) of the **ELEVENTH** Report of the Planning and Development Committee to Council regarding City Initiative 93-A and Bill C-52 for a general text amendment respecting townhouses in Multiple Dwelling Districts be referred back to the Planning and Development Committee.

Recorded vote on referral.

**YEAS:** Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Copps, Agostino, Merling, D'Amico, Ross. -10.

**NAYS:** Aldermen McCulloch, Wilson, Charters, Jackson, Anderson. -5.

**CARRIED.**

\* \* \* \* \*

**Section 8 Re: Commercial Improvement Program - deferral of the expenditure.**

It was moved by Alderman Kiss and seconded by Alderman McCulloch that Section 8 of the **ELEVENTH** Report of the Planning and Development Committee to Council respecting deferral of a \$458,000 expenditure from the Commercial Improvement Program be referred back to the Planning and Development Committee.

**CARRIED.**

**LICENSING COMMITTEE - SECOND REPORT**

**FINANCE AND ADMINISTRATION COMMITTEE - THIRTEENTH REPORT**

**Section 5 Re: Commonwealth Square - Proposal of Hamilton Art Gallery for Sculpture Court**

It was moved by Alderman Drury and seconded by Alderman Morelli that Section 5 of the Thirteenth Report of the Finance and Administration Committee for 1993 and Section 1 of the Sixth Report of the Committee of the Whole for 1993 be referred to the Committee of the Whole and be considered when the Management Team reports on the budgeting report of the Social Contract talks with the Province.

Recorded vote on referral.

**YEAS:** Aldermen Kiss, Drury, Morelli, Copps, Wilson, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -11.

**NAYS:** Mayor Morrow, Aldermen Agro, McCulloch, Agostino. -4.

**CARRIED.**

\* \* \* \* \*

**Section 26 (a) Re: Hamilton Farmers Market - Operation of Air Conditioning units**

It was moved by Alderman Agostino and seconded by Alderman Jackson that Sub-section (a) of Section 26 of the Thirteenth Report for 1993 of the Finance and Administration Committee be amended to delete the words "on a 24 hour basis, 7 days a week for the rest of the summer", and insert in lieu thereof "as required".

**CARRIED.**

\* \* \* \* \*

**Section 27 Re: Public Halls - Hours of operation for provincially licenced Monti-Carlo Lottery.**

It was moved by Alderman Anderson and seconded by Alderman Wilson that Section 27 of the Thirteenth Report of the Finance and Administration Committee be referred back.  
**CARRIED.**

\* \* \* \* \*

**Section 40 Re: Indemnification of Mayor for legal fees - complaint with the Human Rights Commission**

Mayor Morrow declared personal interest in, took no part in the debate and refrained from voting on this matter. Mayor Morrow is personally affected by this action.

Alderman Agro declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Agro provided employee benefits consultation to the law firm retained by Mayor Morrow.

Recorded vote Section 40 (c).

YEAS: Aldermen Kiss, McCulloch, Drury, Morelli, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -12.

NAYS: Alderman Copps. -1.

**CARRIED.**

\* \* \* \* \*

**Section 41 Re: Indemnification of Alderman Jackson for Legal Fees.**

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Jackson is personally affected by this action.

**NOMINATING COMMITTEE - SECOND REPORT**

**COMMITTEE OF THE WHOLE - SIXTH REPORT**

**Section 1 Re: Commonwealth Square - Proposal of Hamilton Art Gallery for Sculpture Court**

It was moved by Alderman Drury and seconded by Alderman Morelli that Section 5 of the Thirteenth Report of the Finance and Administration Committee for 1993 and Section 1 of the Sixth Report of the Committee of the Whole for 1993 be referred to the Committee of the Whole and be considered when the Management Team reports on the budgeting report of the Social Contract talks with the Province.

Recorded vote on referral.

**YEAS:** Aldermen Kiss, Drury, Morelli, Copps, Wilson, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -11.

**NAYS:** Mayor Morrow, Aldermen Agro, McCulloch, Agostino. -4.

**CARRIED.**

**ACTING MAYOR**



It was moved by Alderman Kiss and seconded by Alderman Copps that Alderman D. Agostino be appointed Acting Mayor for the month of July, 1993. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Agostino, Charters, Jackson, Anderson, D'Amico, Ross. -12.

NAYS: -0. **CARRIED.**

<b>ADOPTION OF BILLS</b>
--------------------------

It was moved by Alderman Kiss and seconded by Alderman Copps that the following Bills be now read a first time:

A-42, A-43, A-44, A-45, A-46, A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.  
C-48, C-49, C-50, C-51, C-53, C-54, C-55.  
H-43, H-44, H-45, H-46, H-47.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Agostino, Charters, Jackson, Anderson, D'Amico, Ross. -12.

NAYS: -0. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Copps that Council move into Committee of the Whole to consider the following Bills, with Alderman Ross in the chair. (second reading).

A-42, A-43, A-44, A-45, A-46, A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.  
C-48, C-49, C-50, C-51, C-53, C-54, C-55.  
H-43, H-44, H-45, H-46, H-47.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: -0. CARRIED.

\* \* \* \* \*

Consideration of the Bills (second reading).

\* \* \* \* \*

It was moved by Alderman Kiss seconded by Alderman Copps that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-42, A-43, A-44, A-45, A-46, A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.  
C-48, C-49, C-50, C-51, C-53, C-54, C-55.  
H-43, H-44, H-45, H-46, H-47.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: -0. CARRIED.

1993 June 29

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Copps that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-42, A-43, A-44, A-45, A-46, A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.  
C-48, C-49, C-50, C-51, C-53, C-54, C-55.  
H-43, H-44, H-45, H-46, H-47.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

City Council then adjourned at 9:50 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

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Mayor R. M. Morrow

J.J. Schatz  
City Clerk

1993 June 29

Minutes of Committee of the Whole/Hamilton City Council  
1993 July 20th  
6:00 o'clock p.m.  
Room 233, City Hall

The Council met:

Present: Acting Mayor D. Agostino.  
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson,  
Eisenberger, Charters, Jackson, Merling, Ross, D'Amico.

Absent: Mayor R. M. Morrow - Civic Business  
Alderman T. Anderson - Civic Business

It was moved by Alderman D'Amico and seconded by Alderman Cooke that Rule No. 4 of the City of Hamilton Procedural By-law No. 82-203 be suspended for this meeting of City Council.  
**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Charters that Council move into Committee of the Whole to consider the Reports of the Transport and Environment Committee and the City Council Committee of the Whole with Acting Mayor Agostino in the chair.

Recorded vote.

YEAS: Acting Mayor Agostino, Aldermen Cooke, Agro, Drury, Copps, Wilson,  
Eisenberger, Charters, Jackson, D'Amico. -10.

NAYS: -0. **CARRIED.**

**TRANSPORT AND ENVIRONMENT COMMITTEE - NINTH REPORT**  
Stop Sign Control - Bay St. North

**COMMITTEE OF THE WHOLE - SEVENTH REPORT**  
Liquor Licence Applications - Aquafest and Opa '93 Festival



It was moved by Alderman Cooke and seconded by Alderman Charters that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, and the City Council Committee of the Whole, be adopted.

Recorded vote.

YEAS: Acting Mayor Agostino, Aldermen Cooke, Agro, Drury, Copps, Wilson, Eisenberger, Charters, Jackson, D'Amico. -10.

NAYS: -0.

**CARRIED.**

<b>ADOPTION OF BILLS</b>
--------------------------

It was moved by Alderman Cooke and seconded by Alderman Charters that the following Bills be now read a first time:

A-55, A-56.

Recorded vote.

YEAS: Acting Mayor Agostino, Aldermen Cooke, Agro, Drury, Copps, Wilson, Eisenberger, Charters, Jackson, D'Amico. -10.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Charters that Council move into Committee of the Whole to consider the following Bills, with Acting Mayor Agostino in the chair. (second reading).

A-55, A-56.

Recorded vote.

YEAS: Acting Mayor Agostino, Aldermen Cooke, Agro, Drury, Copps, Wilson, Eisenberger, Charters, Jackson, D'Amico. -10.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

Consideration of the Bills (second reading).

\* \* \* \* \*

It was moved by Alderman Cooke seconded by Alderman Charters that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-55, A-56.

Recorded vote.

YEAS: Acting Mayor Agostino, Aldermen Cooke, Agro, Drury, Copps, Wilson, Eisenberger, Charters, Jackson, D'Amico. -10.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

1993 July 20

It was moved by Alderman Cooke and seconded by Alderman Charters that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-55, A-56.

Recorded vote.

YEAS: Acting Mayor Agostino, Aldermen Cooke, Agro, Drury, Copps, Wilson, Eisenberger, Charters, Jackson, D'Amico. -10.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

City Council then adjourned at 7:15 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

---

Acting Mayor D. Agostino

J.J. Schatz  
City Clerk

1993 July 20

## **CORRESPONDENCE**





**Correspondence:**

1. Application dated 1993 June 30 from Mr. W. Heck, Burlington, Ontario for a further modification to the "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations for property located at Nos. 305-307 Main Street West, Hamilton, Ontario.

**Recommendation:                      Be Received.**

2. Application dated 1993 June 30 from Trustees of Bethel Gospel Tabernacle, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District for lands located at Nos. 1321, 1329, 1335 and 1343 Upper Wellington Street, Hamilton, Ontario.

**Recommendation:                      Be Received.**

3. Application dated 1993 July 16 from 822827 Ontario Inc. (A. DiSilvestro) for a change in zoning from "DE-2" (Multiple Dwellings) District modified and "E-2" (Multiple Dwellings) District modified to "R-4" (Small Lot Single-Family Detached) District for lands located in the area north of Limeridge Road East and west of Upper Kenilworth Avenue, Hamilton, Ontario.

**Recommendation:                      Be Received.**

4. Application dated 1993 July 20 from 177965 Canada Limited c/o Vince Serratore (Imperial Oil), Willowdale, Ontario for a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations, for property located at No. 528 Mohawk Road East, Hamilton, Ontario.

**Recommendation:                      Be Received.**









1993 July 27

## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its TENTH Report for 1993 and respectfully recommends:

1.     (a)    That the construction of a concrete alley first south of Cannon Street East from Wentworth Street to approximately 72 m westerly proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of \$27,900. with a City's Share of \$16,390. and an Owner's Share of \$11,510. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- (b)    That the total Owner's Share of \$11,510. be paid by the Municipal Non-Profit (Hamilton) Housing Corporation; and,
- (c)    That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- (d)    That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received.
2.    That the City of Hamilton participate in Trout Unlimited Canada's "Storm Drain Marking Program" at the cost of Trout Unlimited or other agencies, but not the City of Hamilton.

1993 July 27

3. (a) That the submitted schedule of works be adopted for inclusion in the subdivision agreements with the Owners for the estimated cost of services in:

"HAMILTON GOURLEY - PHASE 1", Hamilton

City's Share - NIL, Owner's Share - \$19,492.

"ORCHARD PARK ESTATES - PHASE 2", Hamilton

City's Share - \$3,696., Owner's Share - \$83,868.

"ORCHARD PARK ESTATES - PHASE 3", Hamilton

City's Share - \$8,260., Owner's Share - \$95,746.

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed subdivision agreements with the owners of "Hamilton Gourley - Phase 1", Hamilton, "Orchard Park Estates - Phase 2", Hamilton and "Orchard Park Estates - Phase 3", Hamilton as well as any other related documents for these developments, subject to the approval of the City Solicitor.
- (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the final plans and subdivision agreements have been registered.
- (d) That in the event the Owners wish to proceed prior to the registration of the Final Plans and Subdivision Agreements, they should be allowed to do so at their own risk provided they enter into a standard agreement with the City of Hamilton for Pre-Servicing.
- (e) That the City's share of services in "Orchard Park Estates - Phase 2", Hamilton (\$3,696.) and "Orchard Park Estates - Phase 3", Hamilton (\$8,260.) be approved and that the Finance and administration Committee recommend the source of funding for these projects.

1993 July 27

4. (a) That the following City lands be incorporated into the street in order to complete the final street width:  
  
Butler Drive                      Parts 11 and 14              Plan 62R-10568
- (b) That the by-law to carry out the incorporation of the said lands into the foregoing street be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
5. (a) That the preamble in By-law No. 92-291 and By-law No. 92-292, which incorporated Parts 3 and 7 on Plan 62R-12372, into Gondola Street and Duncairn Crescent respectively, both be amended to read "Part of Parcel 18-6, Section Bar.7", instead of Parcel 18-1.
- (b) That the by-laws to carry out the incorporation of the said lands into the foregoing street be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
6. That the user fee schedule approved by City Council on 1992 December 8 and as amended on 1993 February 9 as Section 40 of the Second Report of the Transport and Environment Committee, be amended to increase the Registration fees for City documents from \$27. to \$50. as determined by the Land Registry Office, and that the Commissioner of Transportation/Environmental Services be authorized to amend the fees in accordance with any future imposed increases in Registration fees.



7. (a) That an Offer to Purchase (Highway Closure), executed on 1993 June 28 by Mr. Mark Litwin, Director, on behalf of Glendale Realty Holdings Inc., and scheduled to close within thirty (30) days of fulfilment of all conditions as set out in paragraph 8 of said Agreement, but in any event no later than 1993 December 16, for the sale of part of Belview Avenue, designated as Part 3, 62R-12325, more particularly described as having a width of 7.621 metres (25.0 feet) by 89.753 metres/89.694 metres (294.46 feet/294.27 feet) and containing an area of 0.068 hectares (0.16803 acres), be approved and completed, and the funds derived from this sale of \$5,000. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That the City's deed to the Purchaser be subject to an easement in favour of the Regional Municipality of Hamilton-Wentworth, Union Gas Limited, Bell Telephone Company, Ontario Hydro, Hamilton Hydro and the Local Cablevision Company over Part 3, 62R-12325, or such lesser areas as required by the above parties.
- (c) That this sale be conditional upon:
- i. The Purchaser confirms that the sale of the land in the Offer to Purchase to the Purchaser by the City is a condition or requirement of the Purchaser's agreeing to use the access route including the said Part One, 62R-12325, and other relating lands.

Accordingly, the Purchaser agrees that the deed to him of the land in the Offer to Purchaser, which he shall execute before closing, shall include the Purchaser's covenant to the City that, in the event that an Agreement dated 1993 March 22, entered into by the City and Glendale Realty Holdings Inc., regarding the use of part One, 62R-12325 and adjacent land, is not complied with by Glendale Realty Holdings Inc., that the Purchaser for itself, its successors and assigns agrees that it shall, if required by the City, reconvey the land (described in the Offer to Purchase) to the City for the sum of \$1., free and clear of all encumbrances (except the easements referred to herein) and without compensation for any improvements, alterations or other expenses incurred by the Purchaser in respect of the said land or the said reconveyance to the City.

The parties agree to revisions to this said paragraph, if necessary, to ensure registration of the City's deed to the Purchaser incorporating the said paragraph.

- ii. The closing of the sale of the closed portion of Belview Avenue from the City to the Purchaser shall not result in the termination of the terms of this Agreement between the parties by merger. The terms of this Agreement remaining to be performed by the parties shall continue in full force and effect notwithstanding the said conveyance of lands by the City to the Purchaser.

8. (a) That an Offer to Purchase (Highway Closure), executed on 1993 June 28 by Mr. Mark Litwin, Sole Director and President, on behalf of Barrealco Inc. (a subsidiary of Glendale Spinning Mills), and scheduled to close within thirty (30) days of fulfilment of all conditions as set out in Paragraph 8 of said Agreement, but in any event no later than 1993 December 16, for the sale of part of Belview Avenue, designated as Part 2, 62R-12325, more particularly described as having a width of 7.621 metres (25.0 feet) by 89.694 metres/89.636 metres (294.27 feet/294.08 feet) and containing an area of 0.068 hectares (0.16803 acres), be approved and completed, and the funds derived from this sale of \$5,000. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That the City's deed to the Purchaser be subject to an easement in favour of the Regional Municipality of Hamilton-Wentworth, Union Gas Limited, Bell Telephone Company, Ontario Hydro, Hamilton Hydro and the Local Cablevision Company over Part 2, 62R-12325, or such lesser areas as required by the above parties.
- (c) That this sale be conditional upon:
- i. The Purchaser confirms that the sale of the land in the Offer to Purchase to the Purchaser by the City is a condition or requirement of the Purchaser's agreeing to use the access route including the said Part One, 62R-12325, and other relating lands.

Accordingly, the Purchaser agrees that the deed to him of the land in the Offer to Purchaser, which he shall execute before closing, shall include the Purchaser's covenant to the City that, in the event that an Agreement dated 1993 March 22, entered into by the City and Glendale Realty Holdings Inc., regarding the use of Part 1, 62R-12325 and adjacent land, is not complied with by Glendale Realty Holdings Inc., that the Purchaser for itself, its successors and assigns agrees that it shall, if required by the City, reconvey the land (described in the Offer to Purchase) to the City for the sum of \$1., free and clear of all encumbrances (except the easements referred to herein) and without compensation for any improvements, alterations or other expenses incurred by the Purchaser in respect of the said land or the said reconveyance to the City.

The parties agree to revisions to this said paragraph, if necessary, to ensure registration of the City's deed to the Purchaser incorporating the said paragraph.

- ii. The closing of the sale of the closed portion of Belview Avenue from the City to the Purchaser shall not result in the termination of the terms of this Agreement between the parties by merger. The terms of this Agreement remaining to be performed by the parties shall continue in full force and effect notwithstanding the said conveyance of lands by the City to the Purchaser.

1993 July 27

9. (a) That an Option to Purchase, duly executed by Garnet Hyslop and Jean Hyslop on 1993 June 9, and scheduled for closing on or before 1993 September 20, for the purchase by the City of a parcel of land being composed of part of Lot 7, Concession 8, formerly in the geographic Township of Barton, now in the City of Hamilton, containing 310.28 square metres (0.076 acres) more or less, shown as Parts 12 and 13 on Plan 62R-9927, being rear land of 819 Rymal Road East, be approved and completed, and the purchase price of \$502. be charged to Account No. CH5X323 00107 (Services Through Unsubdivided Lands). Subject land is required for the extension of Eaglewood Drive.
- (b) That it is understood and agreed that all costs (including land and construction costs) for the establishment of this extension of Eaglewood Drive will be charged against the One Foot Reserve and recovered at the time of development of the abutting land in accordance with municipal subdivision policies in effect at the time of development.
10. (a) That an Offer to Purchase Easement Agreement, executed by Sister Teresita McNally, General Supervisor, of The Sisters of St. Joseph of Hamilton, on 1993 June 7, and scheduled for closing thirty (30) days after the enactment of a by-law to sell the closed road allowance between 41 and 49 Owen Place, for the purchase of an easement for services to St. Joseph's Ambulatory Care Centre (sewer and water), more particularly described as Reserved for Street, Parcel C, 0.305 Reserve, Registered Plan 851, having a frontage along the westerly limit of Owen Place of 7.92 metres (25.98 feet) more or less, by a depth of 32.940 metres (108.07 feet) more or less, shown as Parts 3 and 6 on attached copy of Plan 62R-10952, be approved and completed, and the funds derived from this sale of \$16,000. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases). Subject parcel forms part of the closed road allowance of Owen Place registered as Instrument No. 142967.
- (b) That the required certified deposit cheque in the amount of \$1,600. be held by the City Treasurer pending City Council approval.
- (c) That the Mayor and City be authorized and directed to execute all the necessary documents to finalize this transaction.



1993 July 27

11. (a) That northbound traffic on East 42nd Street be required to stop for eastbound and westbound traffic on Seventh Avenue; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
12. (a) That eastbound traffic on Kelso Street be required to stop for northbound and southbound traffic on Highcliffe Avenue; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
13. (a) That northbound traffic on Sylvester Street be required to stop for eastbound and westbound traffic on Highridge Avenue; and  
(b) That southbound traffic on Sylvester Street be required to stop for eastbound and westbound traffic on Berkindale Drive; and  
(c) That westbound traffic on Berkindale Drive be required to stop for northbound and southbound traffic on Donn Avenue; and  
(d) That the City Traffic By-law 89-72 be amended accordingly.
14. (a) That three-way stop control be implemented at the intersection of Emperor Avenue and Acadia Drive; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
15. (a) That three-way stop control be implemented at the intersection of Delawana Drive and Riverdale Drive; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
16. (a) That a "No Parking" regulation be implemented on the north and west sides of Strawberry Drive commencing at a point 260 feet south of Cranberry Drive and extending to a point 117 feet west of Strawberry Drive (east leg); and  
(b) That the City Traffic By-law 89-72 be amended accordingly.



1993 July 27

17. (a) That the existing full time "No Parking" regulation on the north side of Glen Road commencing 320 feet east of Macklin Street and extending to a point 395 feet easterly therefrom, be revised such that the regulation will be in effect from 8:00 a.m. to 5:00 p.m., Monday to Friday"; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
18. (a) That the existing "No Parking, 8:00 a.m. to 12 noon, every second Tuesday of each month" regulation on both sides of Chilton Place be removed; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
19. (a) That a "No Parking" regulation be implemented on the west side of Ferguson Avenue North commencing 80 feet south of Wilson Street and extending to a point 64 feet southerly therefrom; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
20. (a) That a "No Parking" regulation be implemented on the west side of Butler Drive commencing at Acadia Drive (north leg) and extending to the west property line of St. Jean de Brebeuf School; and  
(b) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the north and east sides of Butler Drive commencing at Acadia Drive (north leg) to Acadia Drive (east leg); and  
(c) That the City Traffic By-law 89-72 be amended accordingly.
21. (a) That the existing "Alternate Side Parking" regulation on Glendale Avenue North between Barton Street East and Cannon Street East be removed; and  
(b) That a "No Parking" regulation be implemented on the west side of Glendale Avenue North between Barton Street East and Cannon Street East; and  
(c) That the City Traffic By-law 89-72 be amended accordingly.

1993 July 27

22. (a) That a "Permit Parking" regulation be implemented on the north side of Kelly Street commencing at a point 98 feet west of Cathcart Street and extending to a point 42 feet westerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to the residents of Nos. 73 and 75 Kelly Street; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.
23. (a) That a "Permit Parking" regulation be implemented on the east side of Fraser Avenue commencing at a point 172 feet north of Campbell Avenue and extending to a point 24 feet northerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Ms. Donna McElroy, No. 28 Fraser Avenue; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.
24. (a) That the existing "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 9:00 p.m., seven days a week" regulation on the east side of Chestnut Avenue commencing at a point 188 feet north of Cannon Street and extending to a point 22 feet northerly therefrom be removed; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
25. (a) That the existing "No Parking, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on the east side of Princeton Drive which commences at Sherwood Rise and extends to a point 160 feet northerly therefrom be removed; and
- (b) That the existing "No Stopping" regulation on the east side of Princeton Drive which commences at Margate Avenue and extends to a point 109 feet southerly therefrom be extended, such that the regulation commences at Margate Avenue and extends to a point 134 feet southerly therefrom; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.

1993 July 27

26.
  - (a) That three-way stop control be implemented at the intersection of Lennox Street and Lockheed Drive; and
  - (b) That northbound traffic on Leduc Street be required to stop for eastbound and westbound traffic on Carson Drive; and
  - (c) That southbound traffic on Leduc Street be required to stop for eastbound and westbound traffic on Laird Drive; and
  - (d) That eastbound traffic on Laird Drive be required to stop for northbound and southbound traffic on Kingsberry Street; and
  - (e) That southbound traffic on Kingsberry Street be required to stop for eastbound and westbound traffic on Lockheed Drive; and
  - (f) That southbound traffic on Palace Boulevard be required to stop for eastbound and westbound traffic on Lockheed Drive; and
  - (g) That westbound traffic on Knights Court be required to stop for northbound and southbound traffic on Palace Boulevard; and
  - (h) That westbound traffic on Embassy Drive be required to stop for northbound and southbound traffic on Palace Boulevard; and
  - (i) That the City Traffic By-law 89-72 be amended accordingly.
27.
  - (a) That a "No Stopping" regulation be implemented on the west side of Weir Street north commencing at Vansitmart Avenue and extending to a point 96 feet northerly therefrom; and
  - (b) That the City Traffic By-law 89-72 be amended accordingly.
28.
  - (a) That a "No Stopping" regulation be implemented on the north side of Hadeland Avenue commencing at Wendover Drive and extending to a point 50 feet easterly therefrom; and
  - (b) That the City Traffic By-law 89-72 be amended accordingly.

1993 July 27

29. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first four eligible applicants residing in the apartment building at No. 262 Glencarry Avenue.
30.
  - (a) That the Templemead Neighbourhood be designated as a Neighbourhood Watch Area; and
  - (b) That Neighbourhood Watch signs for the Templemead Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and
  - (c) That the necessary funds be charged to Account No. CH55301 75030 (Neighbourhood Watch Program), and supplemented as required by the Traffic Department Account No. CH56XXX 75420, Installation of New Signs.
31.
  - (a) That the existing residential boulevard parking agreement registered as Instrument No. 64223 C.D. to the property at No. 143 Edgemont Street North be discharged, at the property owner's expense; and
  - (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement.
32.
  - (a) That a "No Parking" regulation be implemented on the east side of Sanford Avenue South between the south curb line of Rutherford Avenue and a point 99 feet north of Cumberland Avenue; and
  - (b) That northbound and southbound stop control be implemented on Sanford Avenue South at Rutherford Avenue; and
  - (c) That the City Traffic By-law 89-72 be amended accordingly.
33.
  - (a) That a three-way stop control be implemented at the intersection of Independence Drive and Mount Pleasant Drive.
  - (b) That the City Traffic By-law 89-72 be amended accordingly.



1993 July 27

34. (a) That the Public Works Department, Parks Division, Forestry Section, be authorized to undertake stumping associated with removal of trees (Ice Storm - April 1993) and chipping of stockpiled brush/branch debris.
- (b) That the 1993 projected budgetary impacts of the chipping/stumping work of approximately \$47,000. be charged to the City's Road and Sidewalk Reconstruction Program.
- (c) That due to existing budgetary constraints and projected costs associated with tree replacement, staff be authorized to defer indefinitely this work at properties affected by the April 1993 Ice Storm.
35. That leave be granted to introduce the following Bills:
- (a) **Bill A-57** By-law to Incorporate Parts 11 and 14, Plan 62R-10568 into Butler Drive
- (b) **Bill A-58** By-law to Amend By-law No. 92-292 to Incorporate Part 7, Plan 62R-12372 and Part 1, Plan 62R-12403 into Duncairn Crescent
- (c) **Bill A-59** By-law to Amend By-law No. 92-291 to Incorporate Block FX, Plan M-129 and Part 3, Plan 62R-12372 into Gondola Street
- (d) **Bill A-60** By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (e) **Bill A-61** By-law to amend Traffic By-law 89-72 to Regulate Traffic

Respectfully Submitted,

Kevin C. Christenson, Secretary  
1993 July 19

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE





## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **THIRTEENTH** Report for 1993 and respectfully recommends:

1.
  - (a) That the Director of Traffic Services be directed to post signs reserving five parking spaces for Cannon Street residents at the property located as part of No. 96 Mary Street (Beasley Park).
  - (b) That each of the residents of 136 - 144 Cannon Street be offered the option of purchasing one parking permit on an annual basis at a cost of \$24. per year. (5 parking spaces in total).
  - (c) In the event that any of the five property owners does not wish to exercise his/her right to purchase a parking permit on any given year that same be offered to the remaining residents in the sole discretion of the Traffic Department.
  - (d) That an initial fee of \$50. be charged for each permit issued in order to cover the cost of manufacturing, erecting and maintaining the required signs.
  - (e) That the above be subject to the following conditions:
    - i. winter snow removal be undertaken by the permit holders
    - ii. spring regrading of the gravel be undertaken by the permit holders.
    - iii. cost of curbing the perimeter of the parking area be covered under the Central/Beasley PRIDE Programme.
  - (f) That the parking permits can be rescinded by City Council at its discretion in accordance with Section 8 of the Eighth Report of the Planning and Development Committee for 1993 adopted by City Council at its meeting held 1993 March 9.
  - (g) That parking permits only be made available for vehicles registered to residents of 136 - 144 Cannon Street.
2. That Section 8 of the Twenty-first Report of the Parks and Recreation Committee for 1992 respecting the 1997 Hamilton World Curling Championships, attached hereto as Appendix "A" which was adopted by City Council at its meeting held 1992 December 8, be rescinded.



3. That permission be granted to the Canada Employment and Immigration Slo-Pitch Team to sell beer during the occasion of their slo-pitch tournament, scheduled at Globe Park, 1993 August 21 and 22, subject to the following terms and conditions:
  - (a) The proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
  - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
  - (c) That the Concessionaire be contacted to make the necessary arrangements for the provision of food.
  - (d) That the applicant assume responsibility for all labour-related costs as a result of this event.
  - (e) That Special Duty Officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.
4.
  - (a) That a purchase order be issued to National Painting & Decorating (Hamilton) Inc., in the amount of \$67,264.20 including all taxes and \$3,000. contingency to apply a decorative surface finish to the tugboat play structure at Pier-4 Park, being the only complete tender received for Alternative 1 (sprayed thermal zinc with epoxy spray) in accordance with specifications issued by the Manager of Purchasing and the Vendor's tender, and be funded from Account No. CF5200 419254003, Harbourfront Park Remediation - Stage 2.
  - (b) Pier-4 Park will be opening 1993 July 23, therefore, the contractor cannot wait for final City Council approval on June 29 because there is a six-week construction period and the preparatory work of tendering could not begin early because of other on-going projects. Therefore, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairperson, the Chief Administrative Officer, and that any action taken under this provision to be reported to the next regular meeting of City Council".

Respectfully Submitted,

Kevin C. Christenson  
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON  
PARKS AND RECREATION COMMITTEE

1993 July 20

Appendix "A" as referred to in  
Section 2 of the THIRTEENTH Report  
of the Parks and Recreation  
Committee for 1993

Sub-joined is a copy of Section 8 of the Twenty-first Report of the Parks and Recreation Committee for 1992 adopted by Hamilton City Council at its meeting held 1992 December 8.

- (a) That the City of Hamilton support the Hamilton World Curling Championships Bid Committee in their efforts to host the 1997 World Curling Championships in Hamilton at Copps Coliseum.
- (b) That the Finance and Administration Committee be requested to consider the following recommendations:
  - i. That the City of Hamilton provide the financial assistance of a \$20,000 grant to the Hamilton World Curling Championships Bid committee to prepare and present a bid to the World Curling Federation.
  - ii. In the event of a successful bid, the City of Hamilton would also provide financial assistance in the form of an interest free, loan of \$500,000 payable to the Hamilton World Curling Championship committee per the following schedule:

March 1993 .....	\$100,000
December 1994 .....	\$275,000
December 1995 .....	\$125,000
Total Funding .....	\$500,000









## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWELFTH** Report for 1993 and respectfully recommends:

1. That approval be given to City Initiative 93-A to provide for a general text amendment to Zoning By-law No. 6593 by deleting townhouses and street townhouses as permitted uses in the "D" and "G" Districts; and by deleting townhouses, maisonettes and street townhouses as permitted uses in the "DE", "DE-2", "DE-3", "E", "E-1", "E-2" and "E-3" Districts, on the following basis:
  - (a) That the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District requirements as set out under Section 10 of Zoning By-law No. 6593 be amended by:
    - (i) deleting the word "Townhouses" from the district title so that it shall read as "(Urban Protected Residential - One and Two Family Dwellings, ETC.)";
    - (ii) deleting Section 10.(1)(iii) in its entirety; and
    - (iii) adding thereto the following subsection:

### PRIOR EXISTING USES

- (8) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-10" District provisions;
  - (ii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.

1993 July 27

- (b) That the "DE" (Low Density Multiple Dwellings) District requirements as set out under Section 10A of Zoning By-law No. 6593 be amended by:
  - (i) deleting Section 10A.(1)(v) in its entirety; and
  - (ii) adding thereto the following subsection:

PRIOR EXISTING USES

- (8) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
  - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
  - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.

- (c) That the "DE-2" (Multiple Dwellings) District requirements as set out under Section 10B of Zoning By-law No. 6593 be amended by:
  - (i) deleting Section 10B.(1)(v) in its entirety; and
  - (ii) adding thereto the following subsection:

PRIOR EXISTING USES

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;

1993 July 27

- (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
  - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (d) That the "DE-3" (Multiple Dwellings) District requirements as set out under Section 10C of Zoning By-law No. 6593 be amended by:
  - (i) deleting Section 10C.(1)(v) in its entirety; and
  - (ii) adding thereto the following subsection:

PRIOR EXISTING USES

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
    - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
    - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
    - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
  - (10) Notwithstanding subsection (9), those lands located at Nos. 384-390 Limeridge Road East shall be deemed a "Prior Existing Use".
- (e) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District requirements as set out under Section 11 of Zoning By-law No. 6593 be amended by:
  - (i) deleting Section 11.(1)(iia) in its entirety; and
  - (ii) adding thereto the following subsection:



PRIOR EXISTING USES

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
  - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
  - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (f) That the "E-2" (Multiple Dwellings) District requirements as set out under Section 11B of Zoning By-law No. 6593 be amended by:
  - (i) deleting Section 11B.(1)(v) in its entirety; and
  - (ii) adding thereto the following subsection:

PRIOR EXISTING USES

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
  - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
  - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (10) Notwithstanding subsection (9), those lands located at No. 1620 Upper Wentworth Street shall be deemed a "Prior Existing Use".

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- (g) That the "G" (Neighbourhood Shopping Centre, etc.) District requirements as set out under Section 13 of Zoning By-law No. 6593 be amended by adding thereto the following subsection:

PRIOR EXISTING USES

- (7) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the By-law shall be permitted:

- (i) A Townhouse Dwelling subject to the "RT-10" District provisions;
- (ii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.

- (8) Notwithstanding subsection (7), those lands located at No. 2774 King Street East shall be deemed a "Prior Existing Use".

- (h) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
- (i) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

- 2. That the following resolution regarding the Federal Government's Residential Rehabilitation Assistance Programme (RRAP) be endorsed and forwarded to the Federation of Canadian Municipalities' (FCM) Standing Committee on Policies and Resolutions:

WHEREAS the Federal Government has announced the termination of funding for the Residential Rehabilitation Assistance Programme at the end of 1993;

AND WHEREAS this Programme is providing vital assistance to the owner/occupant with limited income to maintain their home in areas of life and safety items;

1993 July 27

AND WHEREAS RRAP encourages homeowners to remain in their homes thus maintaining their dignity and easing the demand for subsidized housing which is often in short supply;

AND WHEREAS this is the only National Rehabilitation Programme available to Canadians.

BE IT RESOLVED that FCM supports the continuation of the Federal Government's Residential Rehabilitation Assistance Programme and that representation should be made to the Minister responsible for Canada Mortgage and Housing Corporation in order to outline the importance, both economically and socially of the Federally funded programme.

3. That approval be given to Zoning Application 93-13, DiCenzo Construction Company Limited, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit single-family dwellings, for the lands located east of Dizenzo Drive and south of Stone Church Road East, as shown on the attached map marked as Appendix "A", on the following basis:
  - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, and Zoning District Map E-9C for presentation to City Council; and,
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
4. That approval be given to Zoning Application ZAC-93-15, Mr. and Mrs. Russell McCrory, owners, requesting changes in zoning from "AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District (Block "1"), and to "C" (Urban Protected Residential, etc.) District (Block "2"), to permit development of the subject lands for single-family dwellings, for property located at No. 631 Rymal Road West, as shown on the attached map marked as Appendix "B", on the following basis:
  - (a) That Block "1" be rezoned from "AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District;

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- (b) That Block "2" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-27-E for presentation to City Council; and
  - (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
5. (a) That approval be given to amended Zoning Application 93-12, Robert Leggat, owner, requesting a change in zoning from "AA" (Agricultural) District to "DE-2" (Multiple Dwellings) District modified, to permit a multiple dwelling (apartment building) not exceeding four stories in height, for property located at the northwest corner of Limeridge Road East and Upper Gage Avenue, as shown on the attached map marked as Appendix "C", on the following basis:
- (i) That the subject lands be rezoned from "AA" (Agricultural) District to "DE-2" (Multiple Dwellings) District;
  - (ii) That the "DE-2" (Multiple Dwellings) District regulations as contained in Section 10B of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
    - (1) That Section 10B(1)(v) of Zoning By-law No. 6593 shall not apply;
    - (2) That notwithstanding Section 10B(2)(ii) of Zoning By-Law No. 6593, no building or structure shall exceed four (4) stories in height;
  - (iii) That the amending By-law be added to Section 19 of Zoning By-law No. 6593 as Schedule S - 1314, and that the subject lands on Zoning District Maps E-38A and E-38B be notated S - 1314;
  - (iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps E-38A and E-38B for presentation to City Council; and



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- (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That the amending By-Law not be forwarded for passage by City Council until such time as the applicant/owner applies for and receives site plan approval.
- 6. (a) That a proposed by-law to rename Gondola Street to Duncairn Crescent in the Gourley Neighbourhood be enacted by Council; and
- (b) That the property owners on Gondola Street, Canada Post and all emergency services be provided with a written notice of the effective date of the name change.
- 7. (a) That the Minister of Environment be requested to direct GO Transit to undertake a full environmental assessment of all alternative sites for the proposed layover yard for the Hamilton GO Centre;
- (b) That GO Transit be requested to seek authorization from the Ministry of the Environment to undertake a full environmental assessment of all alternative sites for the proposed layover yard for the Hamilton GO Centre;
- (c) That the Ministry of the Environment and GO Transit be requested to hold in abeyance the decision regarding the Victoria Avenue layover yard until such time as the full Environmental Assessment is completed for all sites;
- (d) That the City advise GO Transit and the Ministry of the Environment that the City remains otherwise committed to the expansion of the GO Transit service to Hamilton;
- (e) That the Minister of the Environment, GO Transit, and each area MPP be provided with a copy of the report of the Advisory Committee on GO Transit dated 1993 July 7 and the report of the Chief Administrative Officer dated 1993 July 15.
- 8. That in accordance with the provisions Section 42 of the Ontario Heritage Act, 1989 a Heritage Permit be approved for the proposed addition to the Hamilton Regional Indian Centre at 712 Main Street East (a designated building in the St. Clair Heritage Conservation District), for the east, south and north elevations.

9. That approval be given to amended Zoning Application 89-57, Ascenzo Lepore, owner, requesting changes in zoning from "AA" (Agricultural) District to "R-2" - 'H' (Urban Protected Residential - One and Two-Family Dwellings, etc - Holding) District (Block "1"), and to "R-2" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District (Block "2"), to permit future development for single-family or two-family detached dwellings, on lands located at Nos. 236 - 250 Rymal Road West, as shown on the attached map marked as Appendix "D", on the following basis:

- (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., to Block "1" by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of Block "1" until municipal water and sewer services are available to the satisfaction of the Commissioner of Transportation and Environmental Services.

Removal of the holding restriction shall be conditional upon the availability of all such municipal water and sewers serving the subject lands to the satisfaction of the Commissioner of Transportation and Environmental Services. City Council may remove the 'H' symbol, and thereby give effect to the "R-2" District provisions as stipulated in this By-law by the enactment of an amending By-law once municipal water and sewer services are available.

- (b) That Block "1" be rezoned from "AA" (Agricultural) District to "R-2" - 'H' (Urban Protected Residential - One and Two-Family Dwellings, etc. - Holding) District;
- (c) That Block "2" be rezoned from "AA" (Agricultural) District to "R-2" (Urban Protected Residential One and Two-Family Dwellings, etc.) District;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-17D and W-17E for presentation to City Council;
- (e) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

1993 July 27

10.
  - (a) That approval be given by By-law for the City to enter into a Heritage Easement Agreement with the Ontario Heritage Foundation for the property at Whitehern at 41 Jackson Street West under Part 1V, Section 37 of the Ontario Heritage Act, 1989; and
  - (b) That the City Solicitor be authorized and directed to take appropriate action to have this Heritage Easement implemented pursuant to the provisions of the Ontario Heritage Act, 1989.
11.
  - (a) That the existing Lease for 1086 West 5th Street between the City of Hamilton and Willis Lingelbach and Jean Lingelbach be terminated by the City in accordance with the six (6) month notice to terminate provision in the subject lease and that demolition of all structures at 1086 West 5th Street take place upon the City receiving vacant possession and costs for the demolition be charged to Account Centre No. CH 00201 (Reserve for Parkland).
  - (b) That the City Solicitor be authorized and directed to prepare the necessary notice of termination of the Lease.
  - (c) That the Director of Property be authorized and directed to enter into negotiations with Willis Lingelbach and Jean Lingelbach for the purpose of obtaining an early vacant possession date of October 31, 1993.
12.
  - (a) That the 1993 operating budget of the Barton Street B.I.A. be approved in the amount of \$5,000.
  - (b) That the City Treasurer be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 1993 budget as referenced in (a) above; and
  - (c) That the following Schedule of Payments for 1993 be approved:  
  
01 August 1993  
01 November 1993

Note: 1992 Levy Arrears will be deducted from the two payments for 1993.



1993 July 27

13. That the City of Hamilton accept the sum of \$10,430. as cash payment in lieu of the 5% land dedication in connection with "Claudette Gardens - Phase 4, (west of Garth Street and north of Rymal Road West in the Falkirk East Planning Neighbourhood), this being the cash payment required under Section 50 of the Planning Act.
14. That a By-law be enacted to amend By-law 85-86 regulating building permit and fees, in accordance with the Building Code Act 1992.
15. That a Hamilton Emergency Loan (H.E.L.P) in the amount of two hundred and fourteen dollars (\$214) be approved for Bonnie Reid, 101 Balmoral Avenue North, Hamilton. The interest rate will be 8 percent amortized over two years.
16. That a Commercial Facade Loan in the amount of twenty-five thousand dollars (\$25,000.) be approved for Joseph Bujan, 440 Barton Street East, Hamilton. The interest rate will be 3 percent, amortized over ten years.
17. That a Commercial Loan in the amount of ten thousand dollars (\$10,000.) be approved for Karen Zizzo, 1016 King Street West, Hamilton. The interest rate will be 3 percent, amortized over 10 years.
18. That a Designated Grant in the amount of three thousand dollars (\$3,000.) be provided to Bryan and Mary Markham, 128 St. Clair Avenue, Hamilton.
19. That a Designated Grant in the amount of six hundred and eighty (\$680.) be provided to Zen Masniak, 188 Markland Street, Hamilton.
20. That the Building Commissioner be authorized to issue Demolition Permits for the following:
  - (a) 30 Clyde Street
  - (b) 16 Lancaster Street
  - (c) 38 Miles Road
  - (d) 184 Province Street North
  - (e) 1285 Upper Gage Avenue



1993 July 27

21. That Section 21 of the Sixteenth Report of the Planning and Development Committee to City Council on 1990 September 25, respecting Zoning Application ZA-90-06 by Agommen Group I Ltd., owner of lands located at 260-280 King Street East be amended as follows:
- (a) amend Section 21(a)(i)(3) to modify the minimum landscape area from 698.0 m<sup>2</sup> (7,520 sq.ft) to 600.0 m<sup>2</sup> (6,458 sq.ft.);
  - (b) add the following new clause as Section 21(a)(i)(6):

"Notwithstanding Sections 18A(1)(a) and 18A(9), thirty-two (32) of the required number of parking spaces for the residential/commercial project may be provided off the site, and partially within the adjacent road allowance."
  - (c) delete Section 21(c) in its entirety and substitute the following therefore:

"That the "H" Holding Provisions of Section 36(1) of the Planning Act, R.So.O., be added as a suffix to the modified Zoning District applicable to the subject lands. Removal of the holding provision shall be conditional upon the applicant/owner receiving approval of a site plan for the subject lands and it's registration on title."
22. That Item 33.A. of the Fifteenth Report of the Planning and Development Committee to City Council on 1992 August 25, respecting Zoning application ZA-92-26 by Jung Y. Mah, for lands at 674 Upper James Street be amended as follows:
- (a) amend Item 33.A.(b)(vi) by amending the width of the required landscaped strip from "1.5 m" to "1.0 m" in width.
23. (a) That the following modifications, for the purpose of clarification, be made to Schedule "B" of Amendment No. 113 to the City of Hamilton Official Plan:
- (i) Label the thick black line to the north east of Hamilton Beach and Confederation Park as "Special Policy Area 10";
  - (ii) Delete the thick black line to the south west of Hamilton Beach from "Special Policy Area 10";

1993 July 27

- (iii) Label "Special Policy Area 10a"; and,
  - (iv) Add to the legend of Schedule "B" after "Special Policy Area 10a refer to Policy A.2.9.3.8" the following "and delete from Special Policy Area 10".
- (b) That the City Clerk request the Hamilton-Wentworth Region to incorporate these modifications as part of O.P.A. No. 113.
24. (a) That the Region of Hamilton-Wentworth be advised that the City of Hamilton is not opposed to the extension of watermain approximately 535 metres north of Stone Church to Mud Street provided:
- (i) the landowners fund the costs of project; and,
  - (ii) the owners of 36, 52 and 56 Mud St. enter into an agreement with the City, subject to the satisfaction of the City Solicitor recognizing that the watermain is for the existing homes only and will preclude any further development or major redevelopment.
- (b) That the City Clerk be directed to request the Region to receive Niagara Escarpment Commission comments on the proposal, as the lands are within their Development Control Area.
25. That the Building Commissioner be directed to waive the payment of \$150 in building permit fees from the Hamilton Tiger Cats regarding the outlet at 100 King Street West (Jackson Square), in the like manner as Ronald MacDonald House.
26. That the Building Commissioner be authorized and directed to refund the following administrative fees:

**Type of Zoning Verification  
/Property Report**

**Percentage of Refund**

- |                             |  |
|-----------------------------|--|
| (a) 48-hour express service | 100 percent if the certificate of zoning verification/property report is not issued with 48 hours (refund \$120) |
|-----------------------------|--|

1993 July 27

- (b) normal service                      50 percent if the certificate of zoning verification/property report is not issued within 10 working days (refund \$40)
- 27.    (a) That a purchase order be issued to Aldershot Landscape Contractors Limited, Burlington, in the amount of \$346,198.50, including all taxes and a contingency of \$70,000, being the lowest of four tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.
- (b) That this expenditure be financed through Central/Beasley PRIDE Account No. CF 5200-429002003 (\$75,000) and Central/Beasley PRIDE H.INT. Account No. CF 5200-429102003 (\$271,198.50).
- (c) That a contract be entered into satisfactory to the City Solicitor.
- 28.    In reference to Item #4 of the Sixth Report of the Planning and Development Committee Report (March 30, 1993) regarding the funding for relocation and structural investigation of the Bamberger House (11-13 Holmes Avenue), that the resolution be amended to delete Part (b):  
  
      Part (b)    "that the City's contribution be conditional upon the other participants raising the balance of the total estimated project costs of \$24,045."
- 29.    That the appropriate staff from the Planning and Law Departments be directed to attend the Ontario Municipal Board Hearing scheduled for October 13, 1993 respecting Land Severance Application H-7-93 (11 and 15 Artistic Boulevard).
- 30.    That leave be granted to introduce the following Bills:
  - (a)    C-52    By-law to Amend Zoning By-law No. 6593 respecting townhouses in multiple dwelling districts
  - (b)    C-56    By-law to Amend Zoning By-law No. 6593 respecting Lands Located at Municipal Nos. 89-91 Vine Street
  - (c)    C-57    By-law to Amend Zoning By-law No. 6593 respecting Lands Located South of Mud Street and West of Upper Mount Albion Road

1993 July 27

- (d) C-58 Zoning By-law No. 6593 respecting Land Located at Municipal No. 674 Upper James Street
- (e) C-59 By-law to Establish Site Plan Control respecting Land Located at Municipal No. 674 Upper James Street
- (f) C-60 By-law to Amend Zoning By-law No. 6593 respecting Lands Located at Municipal Number 631 Rymal Road West
- (g) C-61 By-law to authorize Building Permits and Fees
- (h) C-62 By-law to Amend Zoning By-law No. 6593 respecting Lands Located at Municipal Number 260-280 King Street East
- (i) C-64 By-law to Amend Zoning By-law No. 6593 respecting Lands Located East of DiCenzo Drive and South of StoneChurch Road East

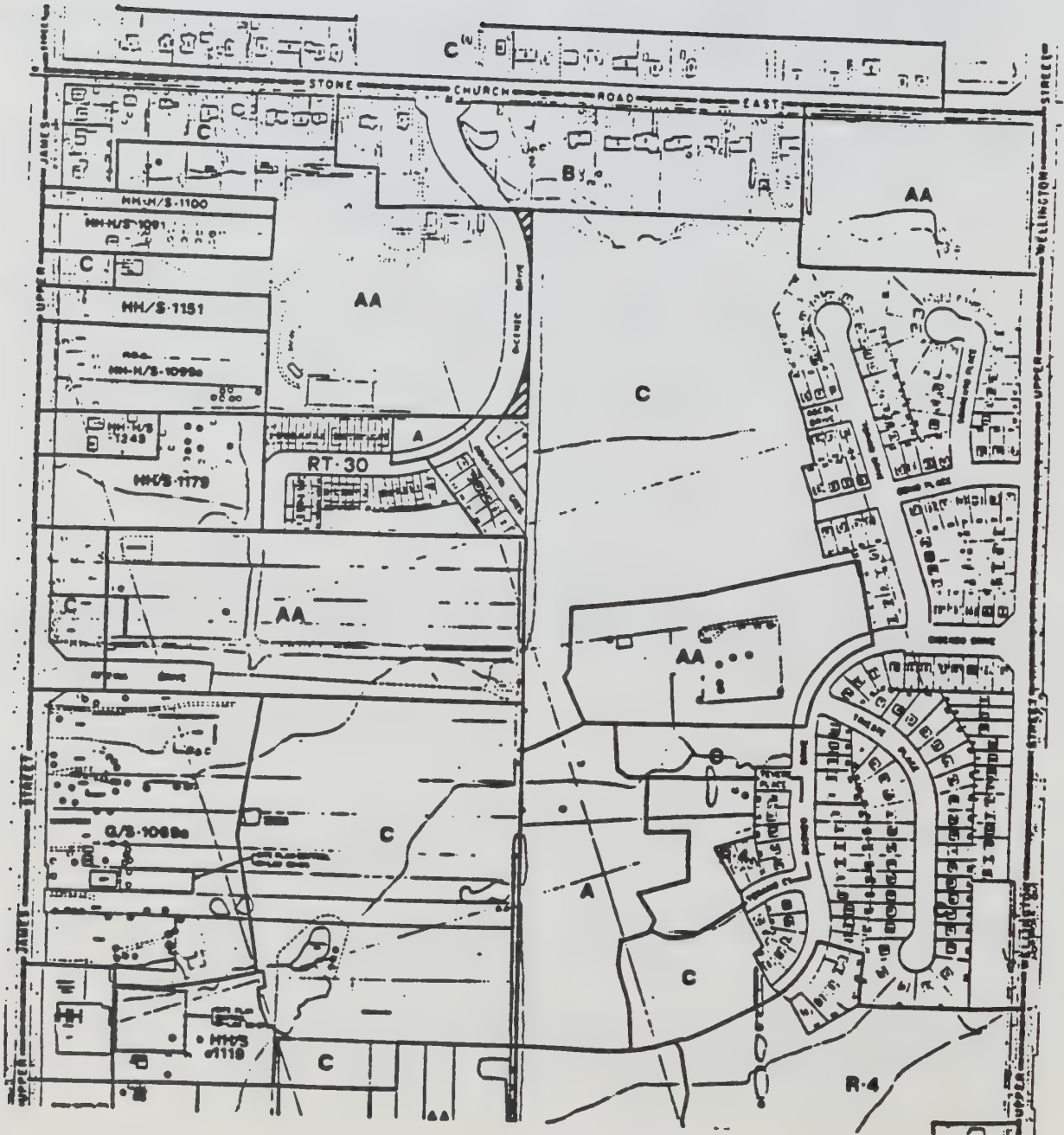
RESPECTFULLY SUBMITTED,

ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary  
1993 July 21



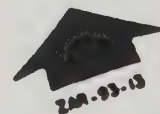
Appendix "A" as referred to  
in Section 3 of the TWELFTH  
Report of the Planning and Development  
Committee for 1993



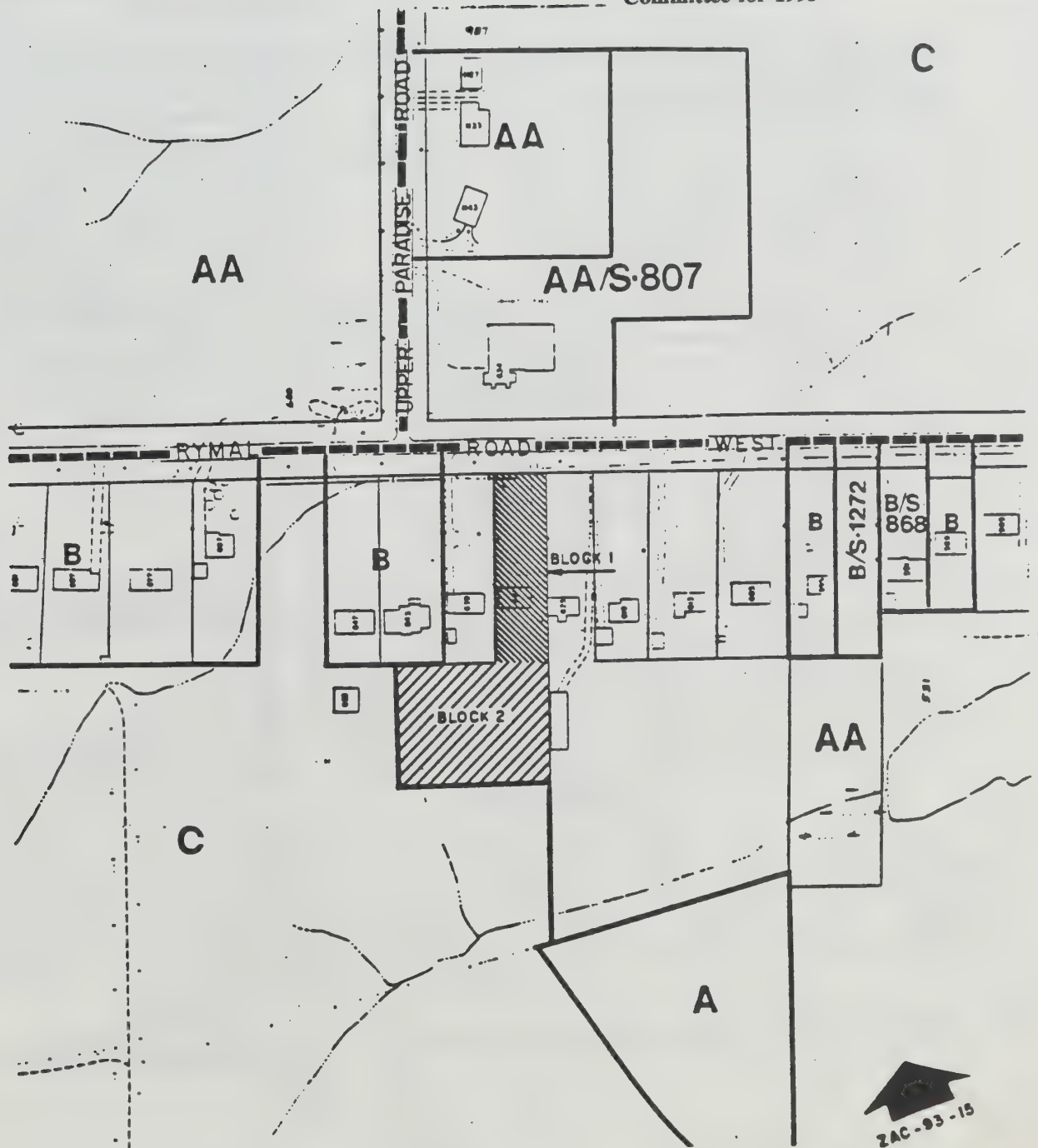
Legend



Site of the Application



Appendix "B" as referred to  
in Section 4 of the TWELFTH  
Report of the Planning and Development  
Committee for 1993



2AC-93-15

### Legend

Change in zoning from "AA" (Agricultural) District to:  
"B" (Suburban Agriculture and Residential, etc.) District.

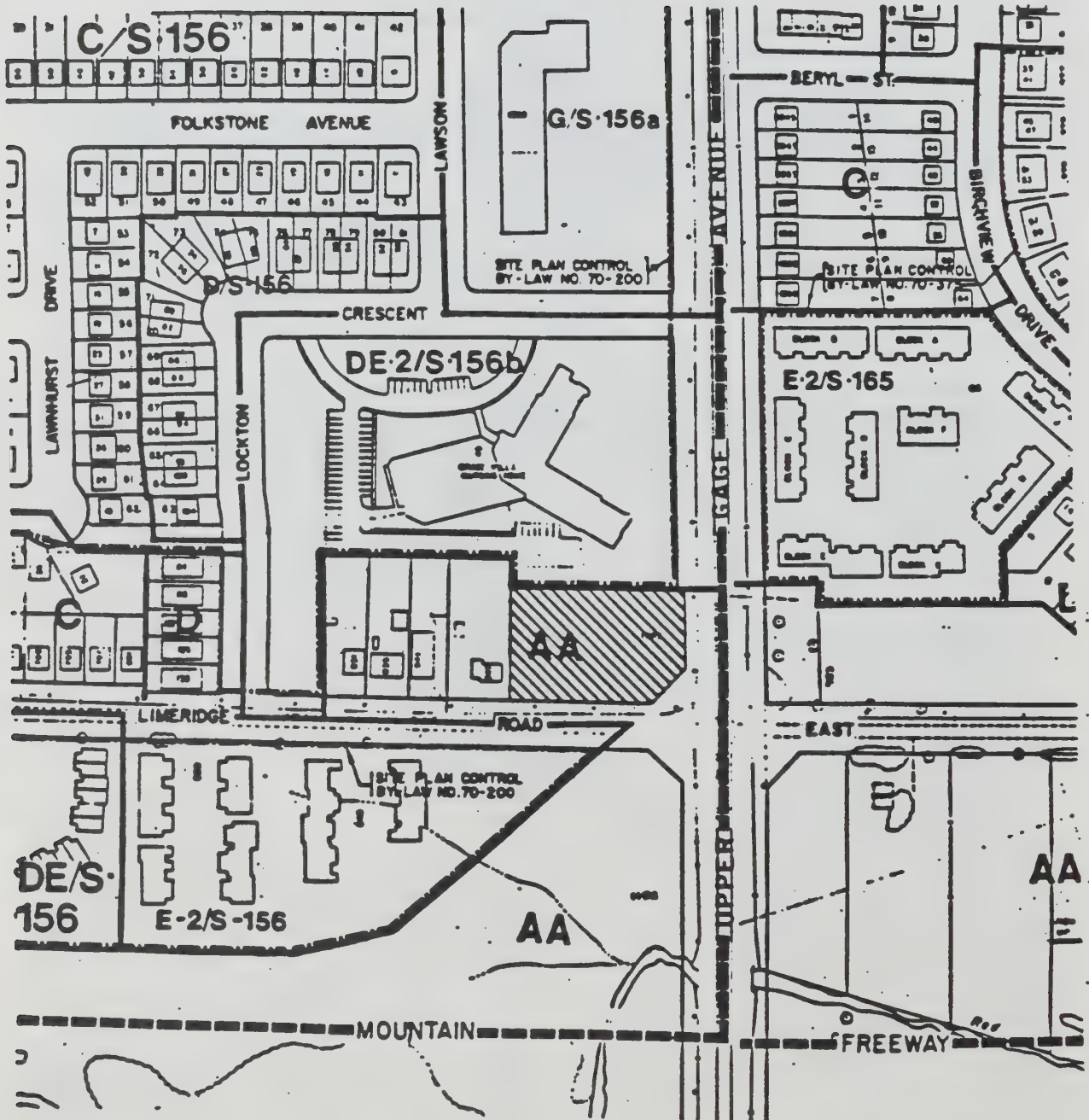
BLOCK 1

BLOCK 2

"C" (Urban Protected Residential, etc.) District.

1993 July 27

Appendix "C" as referred to  
in Section 5 of the TWELFTH  
Report of the Planning and Development  
Committee for 1993



Legend



Site of the Application

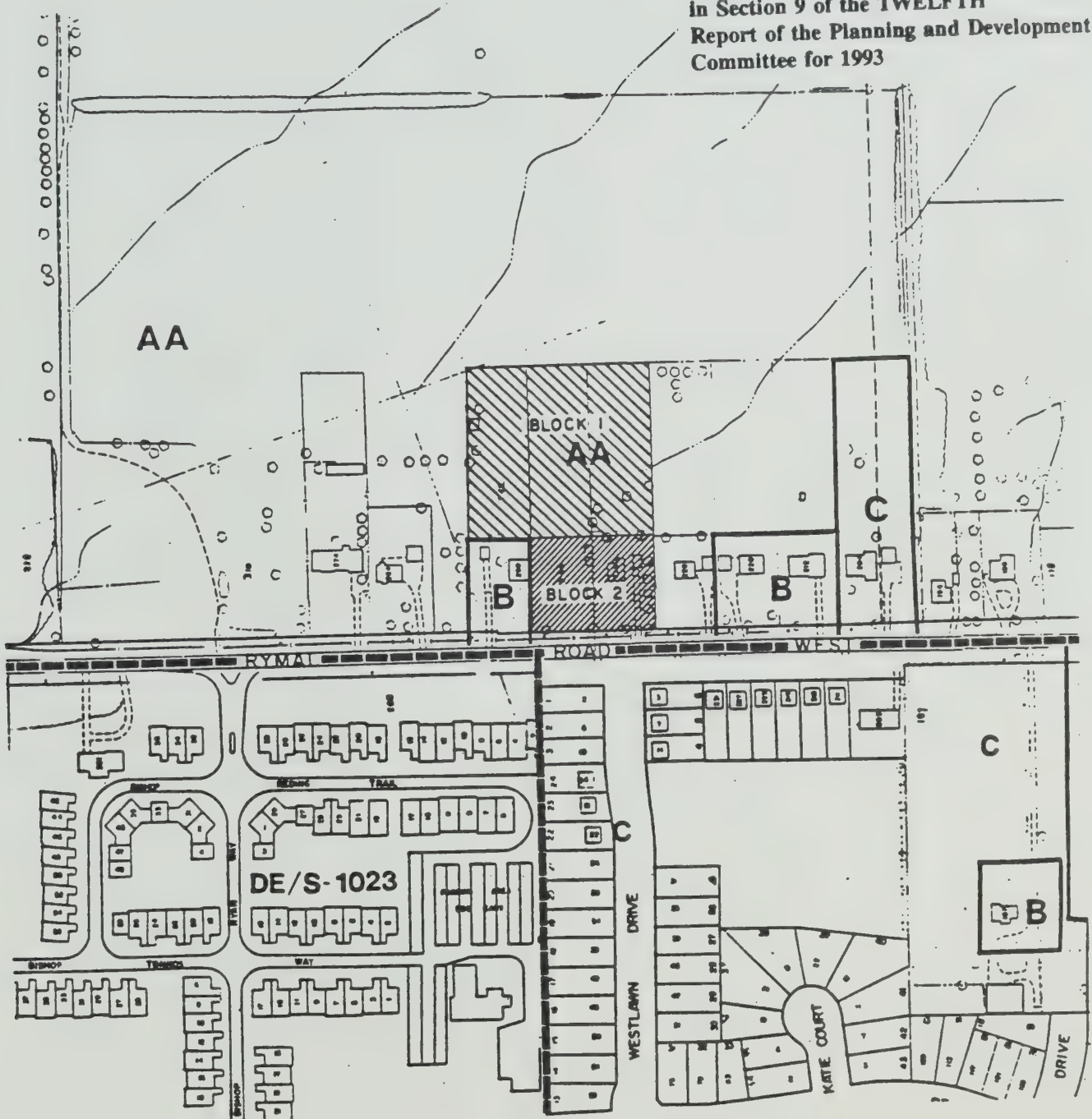


ZAC-93-12



1993 July 27

Appendix "D" as referred to  
in Section 9 of the TWELFTH  
Report of the Planning and Development  
Committee for 1993



**Legend**

Proposed Changes in Zoning From "AA" (Agricultural) District to:

BLOCK 1



"C" - "H" (Urban Protected Residential, etc. Holding) District

BLOCK 2



"C" (Urban Protected Residential, etc.) District

↑  
ZA 89-57  
AMENDED









1993 July 27

**REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **THIRD** Report for 1993 and respectfully recommends:

1. That the Cab Driver Licence application of Steven Manion be denied.

Confidential background information provided to members of City Council under separate cover.

**RESPECTFULLY SUBMITTED**

**ALDERMAN T. COOKE  
CHAIRPERSON  
CITY OF HAMILTON LICENSING  
COMMITTEE**

Stella Glover  
Secretary

1993 July 14









1993 July 27

**REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **FIRST** Report for 1993 and respectfully recommends:

1. That Sam Cino and Doris Anderson be appointed as citizen members to serve on the Mayor's Race Relations Advisory Council for a term to expire 1994 November 30 to fill vacancies created by resigning members.

**RESPECTFULLY SUBMITTED**

Robert M. Morrow  
Mayor

Stella Glover, Secretary  
Mayor's Race Relations Committee

1993 June 28









1993 July 27

**REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTEENTH** Report for 1993 and respectfully recommends:

1. That the Offer to Settle the expropriation of 63 Market Street dated 1993 June 10, and amended by letter dated 1993 July 15, for payment to the claimants Marvin Jerome Wasserman and Ideal Furniture Limited the sum of \$358,500. plus professional fees of \$55,605.73, and interest of \$49.80 per day from 1993 August 19, be accepted with the costs charged to Account Centre No. CH 00102 (Reserve for Property Purchases).
2.
  - (a) That the City of Hamilton authorize the licensing of Monte Carlo Events up to 4:00 a.m., on a 6-month trial basis, effective 1993 August 1; and,
  - (b) That Licence By-law 93-069 be amended to permit Public Halls to extend the hours of closing to 4:00 a.m., on a 6-month trial basis, effective 1993 August 1, for the holding of Provincially licensed Monte Carlo Events; and,
  - (c) That the Minister of Consumer and Commercial Relations be petitioned to grant the City of Hamilton the authority to vary the closing hours for Provincially licensed Monte Carlo Events to be held in different areas of the City; and,
  - (d) That the City Solicitor be authorized to prepare the appropriate amending By-law for presentation to City Council.
3.
  - (a) That as referred to in Section 1 of the Tenth Report for 1993 of the Transport and Environment Committee, the City Solicitor be authorized to prepare an appropriate By-Law to construct an alley first south of Cannon Street East from Wentworth Street to approximately 72 m westerly under the Local Improvement Act at an estimated cost of \$27,900., with a City's share of \$16,390. to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$11,510. being the Owner's share to be financed by the issuance of debentures for a period not to exceed 20 years.



1993 July 27

- (b) That application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$11,510. for a term not to exceed 20 years for the above project.
4. That as referred to in Section 3 of the Tenth Report for 1993 of the Transport and Environment Committee, the City's share of services in:
- (a) "Orchard Park Estates - Phase 2" at a cost of \$3,696.; and,
  - (b) "Orchard Park Estates - Phase 3" at a cost of \$8,260.,
- be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".
5. (a) That approval be given to the action taken by the City Clerk in authorizing the Canada Employment Centre for Students:
- (i) To use the City Hall Forecourt on Monday, 1993 June 28 at 11:00 o'clock a.m. for a ceremony to officially commence Hire-A-Student Week; and,
  - (ii) To fly the Hire-A-Student flag at City Hall from 1993 June 28 - July 5 during Hire-A-Student Week.
- (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.
6. That approval be given to the action taken by the City Clerk in authorizing the Spiritual Assembly of the Baha'is of Hamilton to use the City Hall forecourt on Friday, 1993 July 2 from 10:00 a.m. to 6:00 p.m. for the purpose of giving out literature and answering questions.
7. (a) That permission be granted to the Big Brother Association of Burlington and Hamilton-Wentworth Inc. to use the City Hall west parking lot (directly siding onto Bay Street) on Sunday, 1993 September 26 from 9:00 a.m. to 4:00 p.m. for a pit area and barbecue during their Soap Box Derby; and,
- (b) That access be provided to the first floor City Hall washrooms during the Big Brother Soap Box Derby; and,

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- (c) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity and subject to the concurrence of the Parking Authority.
- 8. (a) That approval be given to the request of Jobs Ontario Youth to use the Council Chambers on Thursday, 1993 August 26 from 7:00 p.m. to 10:00 p.m. for an Awards and Recognition Social Night for the participating youths and employers in the Hamilton area; and,  
(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- 9. That approval be given to the request of the Royal Botanical Gardens to display an enlarged post card of the Gardens, signed by visitors, on the second floor of City Hall from 1993 August 4 - 11.
- 10. (a) That approval be given to the request of the Mayor's office on behalf of the Mayor's office in Fukuyama, Japan, to exhibit a collection of thirty photographs and posters featuring the twin city of Fukuyama on the second floor foyer from 1993 September 12 - 30; and,  
(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- 11. (a) That approval be given to the action taken by the City Clerk in authorizing the Multiple Sclerosis Society of Canada to use the City Hall forecourt on Tuesday, 1993 July 20 from 10:00 a.m to 1:00 p.m. for the purpose of welcoming Michael Pigeau to the City of Hamilton as part of his "Driving for a Cure" for the Multiple Sclerosis Campaign; and,  
(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

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12. That approval be given to the request of the India-Canada Society to use the City Hall forecourt and Room 233 (and in the event of inclement weather, the Council Chamber and first and second floor foyer areas of City Hall) on Saturday, 1993 October 2 from 8:00 a.m. to 8:00 p.m. to celebrate the Twentieth Anniversary of the India-Canada Society by holding an "India-Fest" Cultural Fair to include the following events:
- (a) Opening ceremonies and artistic cultural dances and demonstrations; and,
  - (b) The display of India's rich diversity in clothing, art/crafts, language, religion, etc. through general displays on the forecourt; and,
  - (c) The sale of Indian food on the forecourt.
13. That the City Council consent to the use of the name "Hamilton" in the proposed incorporation of the Hamilton Bid Depository Inc.
14. (a) That approval be given to the appointment of Lloyd Staley, Smoking Control Officer, as a Municipal Law Enforcement Officer; and,
- (b) That the City Solicitor be authorized and directed to prepare the necessary By-law for presentation to City Council.
15. That the City Treasurer be directed to close the following Capital Project Account with the excess funding to be transferred to its original source of financing:

CAPITAL CENTRE #	PROJECT DESCRIPTION	AUTHORIZED GROSS COST	EXPENDED/ COMMITTED TO DATE	BALANCE AVAILABLE	SOURCE OF FINANCING
489151004	Breathing Apparatus Conversion	\$ 750,000.	\$602,310.	\$147,690.	Reserve for Capital Projects

16. That a purchase order be issued to Sheehan's Truck Centre Inc., Stoney Creek, in the amount of \$101,384., including all taxes and trade-in, for the replacement of one tandem two-way sander/plow truck Unit No. 9677 for Fleet Services, being the lowest of six tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and be financed through Reserve for Mobile Equipment Account No. CH5X503 00101.



1993 July 27

17. That the listing of Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1993 July 14, attached herewith and marked Appendix "A", be approved.
18. (a) That the Chairperson of the French Sub-Committee or his designate be authorized to attend the Fourth Annual Association Francaise des Municipalities de l'Ontario Annual Meeting and Convention to be held in Toronto from 1993 August 20-22; and,  
  
(b) That the cost of attending the Fourth Annual Association Francaise des Municipalities de l'Ontario Annual Meeting and Convention in Toronto by the Chairperson of the French Sub-Committee or his designate, in the amount of \$664., be charged to the Legislative Travel Account No. CH 55201-10000.
19. That the following resolution from the Board of Education for the City of York respecting Stronger Crime Prevention Measures, be received:

"That the Parliament of Canada be called upon to enact legislation providing for the elimination of the Young Offenders' Act, harsher sentences for violent crimes (e.g. murder or those involving weapons), a referendum on capital punishment, and a complete revision of the Criminal Justice System of this Country."

20. That the following resolution from the City of North York respecting Interprovincial Trade Barriers, be received:

"WHEREAS presently Quebec based Companies have an unfair advantage over Ontario based Companies in bidding on Construction Contracts; and,

WHEREAS this advantage results from Quebec laws prohibiting non Quebec Companies from bidding on certain contracts in Quebec; and,

WHEREAS Interprovincial Trade practices should be eliminated in Canada.

THEREFORE BE IT RESOLVED that the City of North York request the Provincial and Federal Governments to negotiate with Quebec and other Provinces to eliminate or reduce Interprovincial Trade Barriers."



1993 July 27

21.
  - (a) That the Optimist Club of East Hamilton be allowed to lease approximately 5,770 square feet of space in the Kenilworth Avenue Composite Building (125 Kenilworth Avenue North) for Community Centre purposes.
  - (b) That the Hamilton Fire Department be allowed to use approximately 3,000 square feet of space vacated by the Hamilton-Wentworth Police Station for safety and improved operational purposes.
  - (c) That the Hamilton-Wentworth Police Department be allowed to use the former Inspector's Office (120 square feet) for a Community Based Police location.
  - (d) That the Junior Achievement of Hamilton-Wentworth be allowed to lease approximately 6,379 square feet in the Upper Wentworth Composite Building.
  - (e) That the Director of Property be authorized to negotiate rental terms with the Optimist Club for Kenilworth Avenue Composite and the Junior Achievement for Upper Wentworth Composite.
22.
  - (a) That the Canadian Imperial Bank of Commerce be selected to provide banking services for the City of Hamilton for a five year period commencing 1993 October 18; and,
  - (b) That approval be given to enter into appropriate contracts or agreements, to the satisfaction of the City Solicitor.
23. That the position of Assistant Traffic Signal Foreman/Woman, Traffic Operations Division, Traffic Signal Section be deleted and and that a second Traffic Signal Foreman/Woman position be created.
24. That approval be given to H.E.C.F.I. to commit up to \$100,000. from the 1994 Current Budget for the Special Event Subsidy Fund.
25. That approval be given to the request of the Coalition for the Protection of Public Services to use the City Hall forecourt and related equipment on Tuesday, 1993 July 27 from 6:00 p.m. to 8:00 p.m. for the purpose of holding a Rally to protest the Social Contract.

1993 July 27

26. That a purchase order be issued to Julian Roofing (Ontario) Limited, Stoney Creek, in the amount of \$92,555. including all taxes and \$10,000. contingency to re-roof Sir Winston Churchill Recreation Centre, being the lowest of four acceptable quotations received in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and be financed through Major Maintenance (93) Account No. CF319341005.
27. That leave be granted to introduce the following Bills:
- (a) Bill H-48 A By-law to Appoint a Municipal Law Enforcement Officer.
  - (b) Bill H-49 A By-law to Provide for the Hours of Operation for Monte Carlo Licences.
  - (c) Bill H-50 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

**Charlene Touzel  
Acting Secretary  
1993 July 22**

Appendix "A" referred  
to in Section 17 of the  
FOURTEENTH Report of the  
Finance and Administration  
Committee for 1993.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Bruce Brokar	I	Lifeguard I (14F)	Culture & Recreation	Replacing Mr. E. Fisher promoted, Feb. 01/93 Mr. L. Cowles terminated, Oct. 26/92	\$32,692.92 to \$36,743.20	June 26/93
Ms. Tracy Jollimore	I	Receptionist/Purchasing (7E)	Treasury	Replaced Ms. P. Empey retired, May 31/93	\$25,629.24 to \$27,811.16	June 22/93
Mr. Daniel Murphy	I	Greenskeeper II (D13)	Public Works	Replacing Mr. R. Collins - promoted, March 08/93 New Position, Council Approved, Jan. 28/92	\$35,686.56	June 28/93
Mr. Randal Newstead	I	Lieutenant (C7)	Fire	Replacing Mr. P. Meredith - promoted, Apr. 11/93 Mr. M. Hanson - retired, Nov. 30/92	\$57,934.32	June 27/93

Prepared July 14/93

Status  
Internal - I  
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. James Steep	I	Lieutenant (C7)	Fire	Replacing Mr. P. Marson - promoted, Apr. 11/93 Mr. N. McFayden - retired, Sept. 30/92	\$57,934.32	June 27/93

Prepared July 14/93

Status
Internal - I
External - E





THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Ms. Kim Goodfellow	Manager of Support Services	Information Systems	Resigned	16 years, 4 months	June 18/93
Mr. Gilbert Lecomte	Gardener II	Public Works	Retired	8 years, 7 months	June 30/93
Mr. John Sloan	Caretaker	Property	Retired	26 years, 3 months	June 30/93

Prepared July 14/93

Glossary of Terms

Terminated - long term disability  
- discharge  
- downsizing  
- redundant

Resigned - personal betterment  
- personal reasons



**BILLS**

**CITY COUNCIL**

**1993 JULY 27**





**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 93-**

**TO INCORPORATE PARTS 11 & 14, PLAN 62R-10568  
INTO BUTLER DRIVE**

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Butler Drive by incorporating within its limits the lands described below;

**AND WHEREAS** the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows: -

1. The following lands are hereby established and laid out as a public highway to form part of Butler Drive.

Part of Parcel "B", Registered Plan No. 909, designated as Part 14, on Plan 62R-10568 and Part of Holland Avenue, Registered Plan No. 909 (now closed by Judge's Order No. 062794), designated as Part 11, on Plan 62R-10568.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

**PASSED** this                      day of                      A.D. 1993.

City Clerk

Mayor

**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 93-**

**TO AMEND BY-LAW NO. 92-292**

**TO INCORPORATE PART 7, PLAN 62R-12372 AND  
PART 1, PLAN 62R-12403 INTO DUNCAIRN CRESCENT**

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Duncairn Crescent by incorporating within its limits the lands described below;

**AND WHEREAS** the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The description of the following lands which were established and laid out as a public highway to form part of Duncairn Crescent, described as part of Parcel 18-1, Section Bar.7 in By-Law No. 92-292, is hereby revised and amended as follows;

Part of Parcel 18-6  
Section Bar.7

Being Part of Lot 18, Concession 7, in the former geographic township of Barton, designated as part 7, Plan 62R-12372, being part of the Parcel.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

**PASSED** this                      day of                      A.D. 1993.

City Clerk

Mayor

**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 93-**

**TO AMEND BY-LAW NO. 92-291**

**TO INCORPORATE BLOCK FX, PLAN M-129 AND  
PART 3, PLAN 62R-12372 INTO GONDOLA STREET**

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Gondola Street by incorporating within its limits the lands described below;

**AND WHEREAS** the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The description of the following lands which were established and laid out as a public highway to form part of Gondola Street, described as part of Parcel 18-1, Section Bar.7 in By-Law No. 92-291 is hereby revised and amended as follows;

Part of Parcel 18-6  
Section Bar.7

Part of Lot 18, Concession 7, in the former geographic township of Barton, designated as Part 3, on Plan 62R-12372, being part of the Parcel.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

**PASSED** this                      day of                      A.D. 1993.

City Clerk

Mayor



## BY-LAW NO. 93 -

## TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Mount Pleasant	Northbound and Southbound	Independence
Sanford	Northbound and Southbound	Rutherford
East 42nd	Northbound	Seventh
Kelso	Eastbound	Highcliffe
Sylvester	Northbound	Highridge
Sylvester	Southbound	Berkindale
Berkindale	Westbound	Donn
Emperor	Eastbound	Acadia
Acadia	Northbound and Southbound	Emperor
Delawana	Eastbound and Westbound	Riverdale
Locheed	Eastbound and Westbound	Lennox
Leduc	Northbound	Carson
Leduc	Southbound	Laird
Laird	Eastbound	Kingsberry
Kingsberry	Southbound	Locheed
Palace	Southbound	Locheed
Knights	Westbound	Palace
Embassy	Westbound	Palace".

2. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following items, namely:-

"Princeton	East	Margate to 134 feet southerly
Weir	West	Vansitmart to 96 feet northerly
Hadeland	North	Wendover to 50 feet easterly".

and by deleting therefrom the following item, namely:-

"Princeton	East	Margate to 101 feet south".
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3. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by deleting therefrom the following item, namely:-

"Chestnut	East	22 feet	188 feet north of Cannon	8:00 a.m. - 9:00 p.m."
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PASSED this day of A.D. 1993.

CITY CLERK

MAYOR

BY-LAW NO. 93 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 34 (Sticker Permit Parking)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Kelly	North	commencing 98 feet west of Cathcart and extending to a point 42 feet westerly therefrom	Anytime
Fraser	East	commencing 172 feet north of Campbell and extending to a point 24 feet northerly	Anytime".

2. **Schedule 25A (Parking Time Limits)** is hereby amended:

- a) by adding to **Section 14 (One Hour Limit)** the following items, namely:-

"Butler	North & East	commencing at Acadia (north leg) and extending to Acadia (east leg)".
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- b) by deleting from **Section 8 (One Hour Limit)** the following item, namely:-

"West 3rd	West	Monarch to Wembley".
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3. **Schedule 26 (No Parking Areas)** is hereby amended by adding to **Section A (No Parking Anytime)** the following items, namely:-

"Sanford	East	Cumberland to south curb line of Rutherford
Ferguson	West	commencing 80 feet south of Wilson and extending to a point 64 feet southerly
Strawberry	North & West	commencing 260 feet south of Cranberry and extending to a point 117 west of Strawberry (east leg)
Glendale	West	Barton to Cannon
Glen	South	Macklin to 263 feet easterly
Glen	South	commencing 361 feet east of Macklin to easterly end
Glen	North	Macklin to 320 feet easterly
Butler	West	commencing at Acadia (north leg) and extending to the west property line of St. Jean de Brebeuf School".

and by deleting therefrom the following items, namely:-

"Sanford	East	Cumberland to 99 feet north
Glen	Both	Macklin to easterly end".

4. **Schedule 26A (No Parking Areas)** is hereby amended by:

(a) adding to **Section K (No Parking, 8:00 a.m. to 5:00 p.m.)** the following item, namely:-

"Glen	North	commencing 320 feet east of Macklin to easterly end".
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(b) by deleting from **Section F (No Parking, 8:00 a.m. to 4:00 p.m.)** the following item, namely:-

"Princeton	East	Margate to Sherwood".
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5. **Schedule 26B (No Parking Areas)** is hereby amended by deleting therefrom the following items, namely:-

"Chilton Place	East	Markland to south end	2nd Tuesday each month 8:00 a.m. to 12:00 noon
Chilton Place	West	Markland to south end	2nd Tuesday each month 8:00 a.m. to 12:00 noon".

6. **Schedule 27 (Alternate Side Parking)** is hereby amended by deleting therefrom the following items, namely:-

"Glendale	West	East
Cannon to Barton".		

**PASSED** this

day of

A.D. 1993.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

**TOWNHOUSES IN MULTIPLE DWELLING DISTRICTS**

**WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 12th Report of the Planning and Development Committee at its meeting held on the 27th day of July 1993, recommended that By-law No. 6593 be amended to provide for a general text amendment to the said by-law by deleting townhouses and street townhouses as permitted uses in the "D" and "G" Districts, and by deleting townhouses, maisonettes and street townhouses as permitted uses in the "DE", "DE-2", "DE-3", "E", "E-1", "E-2" and "E-3" Districts as hereinafter provided;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District requirements as set out under Section 10 of Zoning By-law No. 6593 are amended by,

- (a) deleting the word "Townhouses" from the district title so that it shall read as "(URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS, ETC.)";
- (b) deleting Section 10.(1)(iii) in its entirety; and
- (c) adding thereto the following subsection:

**PRIOR EXISTING USES**

(8) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:

- (i) A Townhouse Dwelling subject to the "RT-10" District provisions;



- (ii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.

2. The "DE" (Low Density Multiple Dwellings) District requirements as set out under Section 10A of Zoning By-law No. 6593 are amended by,

- (a) deleting Section 10A.(1)(v) in its entirety; and
- (b) adding thereto the following subsection:

PRIOR EXISTING USES

- (8) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
  - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
  - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.

3. The "DE-2" (Multiple Dwellings) District requirements as set out under Section 10B of Zoning By-law No. 6593 are amended by,

- (a) deleting Section 10B.(1)(v) in its entirety; and
- (b) adding thereto the following subsection:

PRIOR EXISTING USES

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
  - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
  - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.

4. The "DE-3" (Multiple Dwellings) District requirements as set out under Section 10C of Zoning By-law No. 6593 are amended by,

- (a) deleting Section 10C.(1)(v) in its entirety; and
- (b) adding thereto the following subsection:

## PRIOR EXISTING USES

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
  - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
  - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (10) Notwithstanding subsection (9), those lands located at Nos. 384-390 Limeridge Road East shall be deemed a "PRIOR EXISTING USE".

5. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District requirements as set out under Section 11 of Zoning By-law No. 6593 are amended by,

- (a) deleting Section 11.(1)(iia) in its entirety; and
- (b) adding thereto the following subsection:

## PRIOR EXISTING USES

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
  - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
  - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.

6. The "E-2" (Multiple Dwellings) District requirements as set out under Section 11B of Zoning By-law No. 6593 are amended by,

- (a) deleting Section 11B.(1)(v) in its entirety; and
- (b) adding thereto the following subsection:

## PRIOR EXISTING USES

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;

- (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
- (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (10) Notwithstanding subsection (9), those lands located at No. 1620 Upper Wentworth Street shall be deemed a "PRIOR EXISTING USE".

7. The "G" (Neighbourhood Shopping Centre, etc.) District requirements as set out under Section 13 of Zoning By-law No. 6593 are amended by adding thereto the following subsection:

#### PRIOR EXISTING USES

- (7) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
  - (i) A Townhouse Dwelling subject to the "RT-10" District provisions;
  - (ii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (8) Notwithstanding subsection (7), those lands located at No. 2774 King Street East shall be deemed a "PRIOR EXISTING USE".

8. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

9. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

A.D. 1993

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS. 89-91 VINE STREET**

**WHEREAS** it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-4 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "L-c" (Planned Development - Commercial) District to "H" (Community Shopping and Commercial, etc.) District,

the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands referred to in Section 1, are amended to the extent only of the special requirement that,

- (a) a landscaped planting strip of not less than 3.0 m (9.84 feet) in width shall be provided and maintained along Vine Street, except for any area used for access driveways.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1312.



5. Sheet No. W-4 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1312.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

A.D. 1993

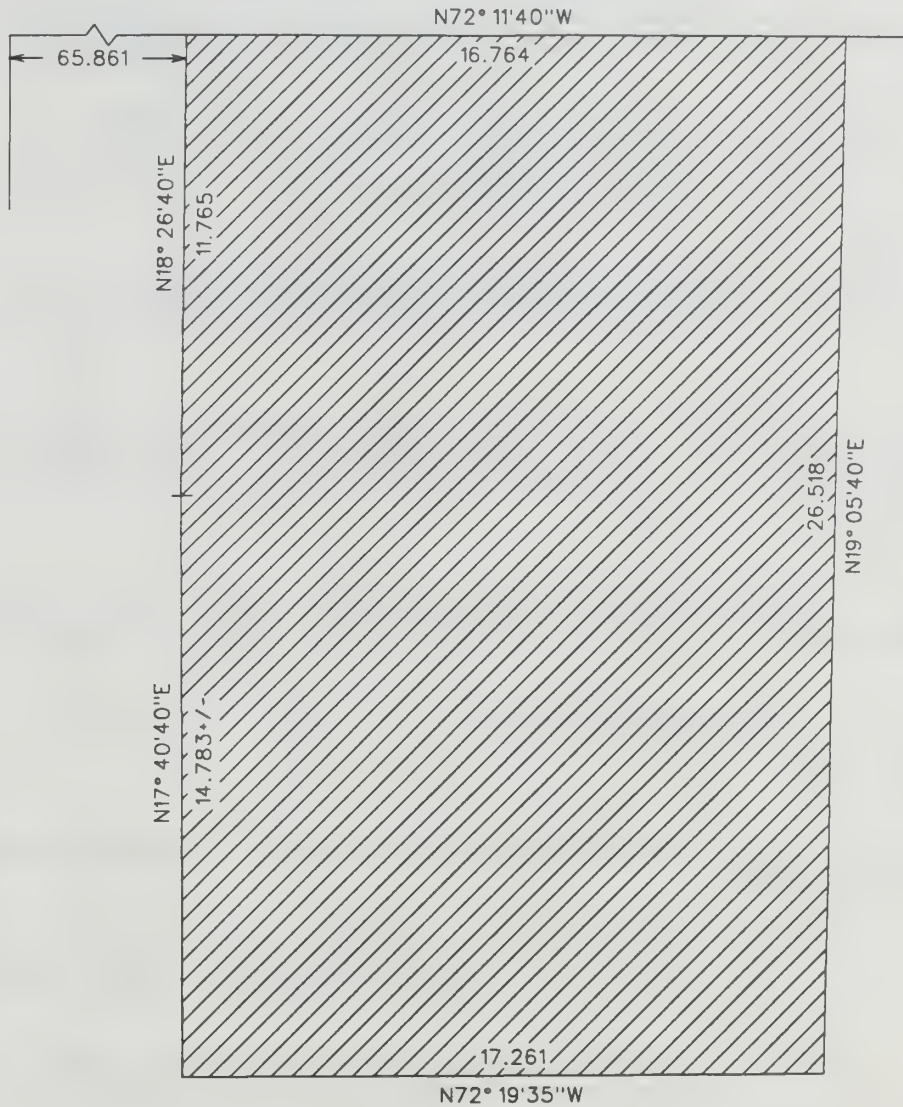
CITY CLERK

MAYOR

(1993) 11 R.P.D.C. 2, June 29  
Philpott Memorial Church, Owner  
Amended ZA-92-57

VINE STREET

BAY STREET NORTH



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93-\_\_\_\_  
Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1993.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

## City of Hamilton Schedule A

Map Forming Part of  
By-Law No. 93-\_\_\_\_\_  
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend

Change in zoning from:



"L-C" (Planned Development-Commercial)  
District to "H" (Community Shopping and  
Commercial, etc.) District, modified.

<p>North</p>	<p>Scale NOT TO SCALE</p>	<p>Reference File No. ZA-92-57</p>
	<p>Date JUNE 1993</p>	<p>Drawn By W.J.S.</p>

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED SOUTH OF MUD STREET  
AND WEST OF UPPER MOUNT ALBION ROAD**

**WHEREAS** it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-79B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District, the land comprised in Block 1;
- (b) by changing from "AA" (Agricultural) District to "RT-30" - 'H' (Street Townhouse - Holding) District, the land comprised in Block 2;
- (c) by changing from "R-4" (Small Lot Single-Family Detached) District to "RT-20" - 'H' (Townhouse - Maisonette - Holding) District, the land comprised in Block 3;
- (d) by changing from "R-4" (Small Lot Single-Family Detached) District to "RT-30" - 'H' (Street Townhouse - Holding) District, the land comprised in Block 4; and
- (e) by changing from "R-4" (Small Lot Single-Family Detached) District to "DE-3" - 'H' (Multiple Dwellings - Holding) District, the land comprised in Block 5,

the lands, the extent and boundaries of each of which Blocks 1, 2, 3, 4, and 5 are shown on a plan hereto annexed as Schedule "A".

2. The "C" - 'H' (Urban Protected Residential, etc. - Holding) District, "RT-20" - 'H' (Townhouse - Maisonette - Holding) District, "RT-30" - 'H' (Street Townhouse - Holding) District, and "DE-3" - 'H' (Multiple Dwellings - Holding) District referred to in Section 1. shall be subject to the special requirements that,

- (a) the applicant/owner has entered into a Modified Subdivision Agreement with the City/Region, and an Access Agreement with the Region, to the satisfaction of the Regional Roads Department; and
- (b) upon completion of all of the matters contained in subclause 2.(a), the 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in Section 1. may proceed in accordance with the "C", "RT-20", "RT-30" and "DE-3" District provisions as stipulated in this by-law.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

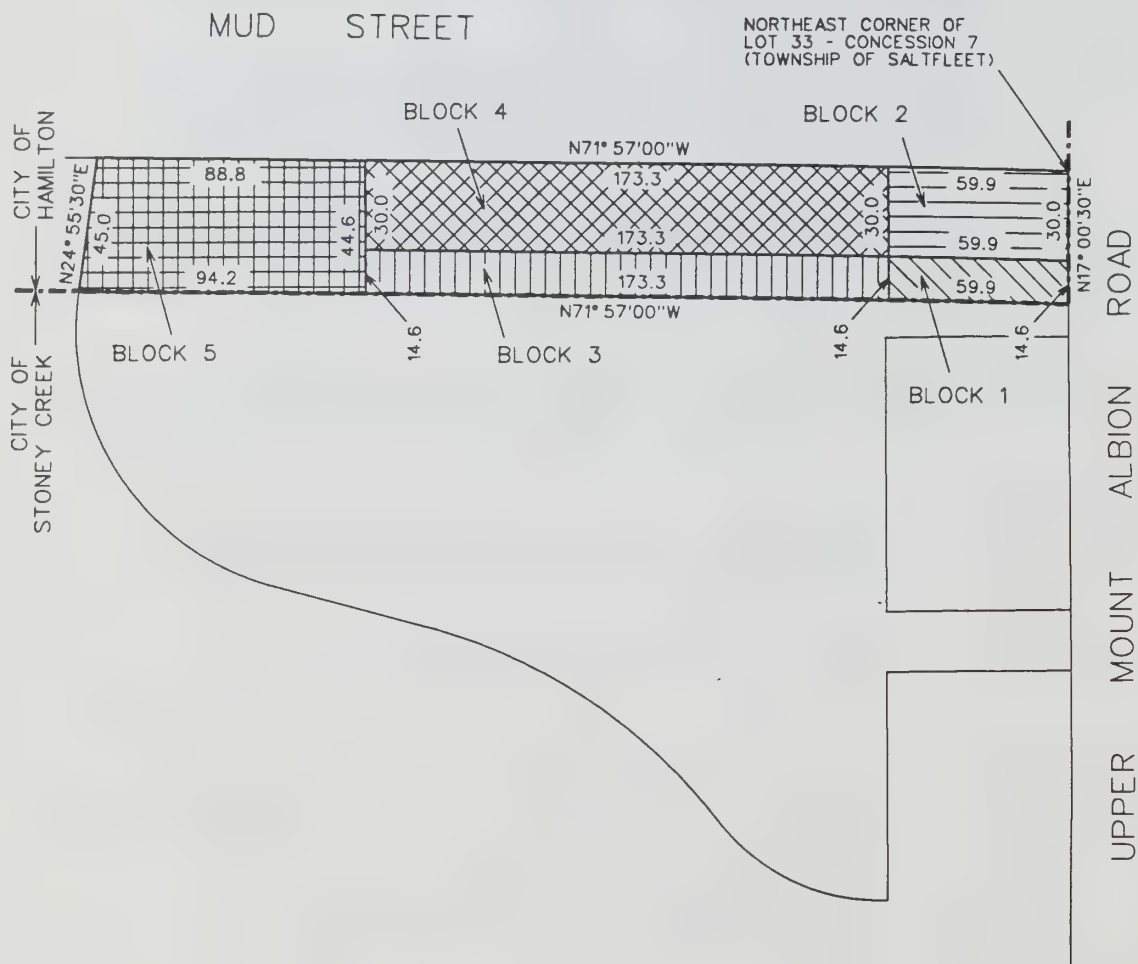
A.D. 1993.

CITY CLERK

MAYOR

(1993) 11 R.P.D.C. 1, June 29  
 Luval Enterprises Limited, Owners  
 ZA-92-55





NOTE: All dimensions are in metres






This is Schedule "A" to By-Law No. 93-\_\_\_\_  
Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1993.


\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**City of Hamilton**  
**Schedule A**  
Map Forming Part of  
By-Law No. 93-\_\_\_\_  
to Amend By-Law No. 6593  
Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**  
Change in zoning from:

- |   |   |
|---|---|
|  | "AA" (Agricultural) District to "C"- "H" (Urban Protected Residential, etc. - Holding) District.                |
|  | "AA" (Agricultural) District to "RT-30" - "H" (Street Townhouse - Holding) District.                            |
|  | "R-4" (Small Lot Single-Family Detached) District to "RT-20" - "H" (Townhouse - Maisonette - Holding) District. |
|  | "R-4" (Small Lot Single-Family Detached) District to "RT-30" - "H" (Street Townhouse - Holding) District.       |
|  | "R-4" (Small Lot Single-Family Detached) District to "DE-3" - "H" (Multiple Dwellings - Holding) District.      |

North	Scale	Reference File No.
	NOT TO SCALE	ZA-92-55
	Date	Drawn By
	JUNE 1993	W.J.S.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED AT MUNICIPAL NO. 674 UPPER JAMES STREET**

**WHEREAS** it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the special condition relating to this rezoning, referred to in Section 33 of the 15th Report of the Planning and Development Committee adopted by City Council on the 25th day of August 1992, has been satisfied;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-8 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14(1) of By-law No. 6593, only the following uses shall be permitted within the building existing at the date of the passing of this by-law:

- (i) RESIDENTIAL USES:

- 1. Single-family dwelling;
    - 2. One dwelling unit in the same building with a permitted commercial use.

(ii) COMMERCIAL USE:

1. Medical offices (including doctor, dentist, chiropractor, osteopath, drugless practitioner).

(iii) ACCESSORY USE:

1. A wall, ground or projecting sign that complies with the following requirements:
  - (1) no sign shall exceed 1.2 m in vertical dimension or 2.2 m<sup>2</sup> in area; and
  - (2) no sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination;
- (b) no extensions or enlargements of the building existing at the date of the passing of the by-law shall be permitted;
- (c) notwithstanding Section 18A(1) of By-law No. 6593, the following parking requirements shall be provided and maintained:
  - (i) one space for each dwelling unit;
  - (ii) one space for every 19 m<sup>2</sup> of floor area for medical offices (including doctor, dentist, chiropractor, osteopath, drugless practitioner);
- (d) Sections 18A(11)(a),(b) and (12)(a) of By-law No. 6593 shall not apply;
- (e) notwithstanding Section 18A(8) of By-law No. 6593, one of the four parallel parking spaces located along the southerly side lot line may have dimensions not less than 2.5 m in width and 6.3 m in length;
- (f) a landscaped strip not less than 1.0 m in width shall be provided and maintained along the entire westerly lot line where the building has been converted to a commercial use, except for the southerly 4.0 m;
- (g) a visual barrier not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the entire southerly and westerly lot lines where the building has been converted to a commercial use;
- (h) all lighting facilities at the rear of the property shall be so installed and maintained as to ensure that the light is deflected away from all adjacent residential uses;
- (i) in the event that the existing building is destroyed or demolished, it may be replaced only by a building having the same external dimensions as the building which it replaces and the replacement building shall not have more than two storeys plus a basement, and shall only be used for the uses set out in (a), above;
- (j) notwithstanding Section 18A(1)(f) of By-law No. 6593, the manoeuvring space/aisle width for the parallel parking spaces shall be 3.00 m minimum instead of the required 3.7 m.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1282.

5. Sheet No. W-8 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1282.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

A.D. 1993

CITY CLERK

MAYOR

(1992) 15 R.P.D.C. 33, August 25

(1993) 10 R.P.D.C. 12, May 25

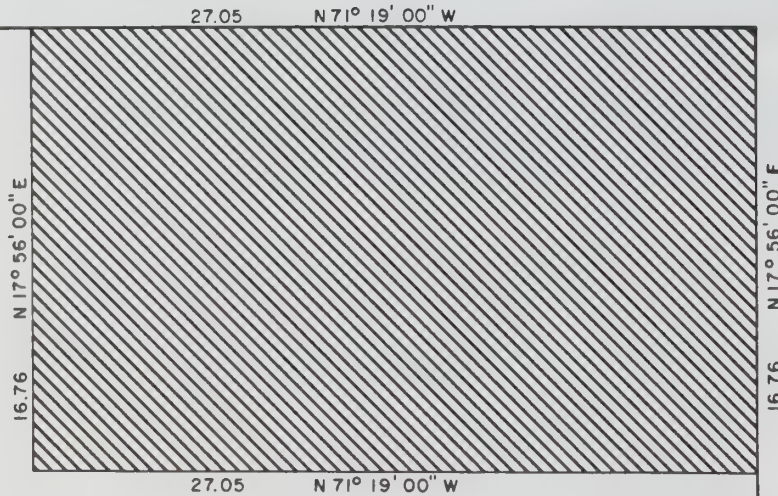
(1993) 12 R.P.D.C. 22, July 27

Jung Y. Mah, Owner

ZA-92-26



# WEMBLEY ROAD



UPPER JAMES STREET

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 9 .....  
Passed the ..... day of ..... , 199

.....  
Clerk

.....  
Mayor

City of Hamilton

## Schedule A

Map Forming Part of  
By-Law No. 9 .....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend

Change in zoning from:



"C" (Urban Protected Residential, etc.)  
District to "H" (Community Shopping and  
Commercial etc.) District, modified.

North



Scale  
NOT TO SCALE

Date  
AUGUST 24, 1992

Reference File No.  
ZA 92-26

Drawn By  
Z.K..

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Establish:

Site Plan Control

Respecting:

**LAND LOCATED AT MUNICIPAL NO. 674 UPPER JAMES STREET**

**WHEREAS** By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

**AND WHEREAS** it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

136. Land located at Municipal No. 674 Upper James Street, shown on Appendix 136 hereto annexed and forming part of this by-law.

2. Appendix 136 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

**PASSED** this

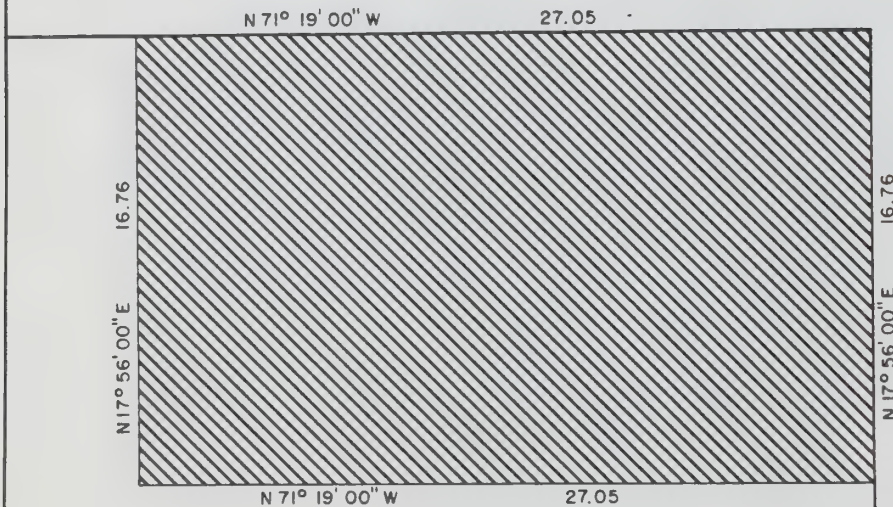
day of

A.D. 1993

CITY CLERK

MAYOR

# WEMBLEY ROAD



UPPER JAMES STREET

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 9 .....  
Passed the ..... day of ..... ,199

.....  
Clerk

.....  
Mayor

City of Hamilton

## Appendix 136 to By-Law No.79-275

as Amended by  
By-Law No.87-223

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



Lands Designated Under this By-Law  
as an area of Site Plan Control pursuant  
to Section 41 of the Planning Act.



North

Scale  
NOT TO SCALE

Reference File No.  
ZA92-26

Date  
SEPTEMBER 21, 1992

Drawn By  
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED AT MUNICIPAL NO. 631 RYMAL ROAD WEST**

**WHEREAS** it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. W-27E and W-27D of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District, the land comprised in Block 1; and
- (b) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, the land comprised in Block 2,

the land, the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

**PASSED** this

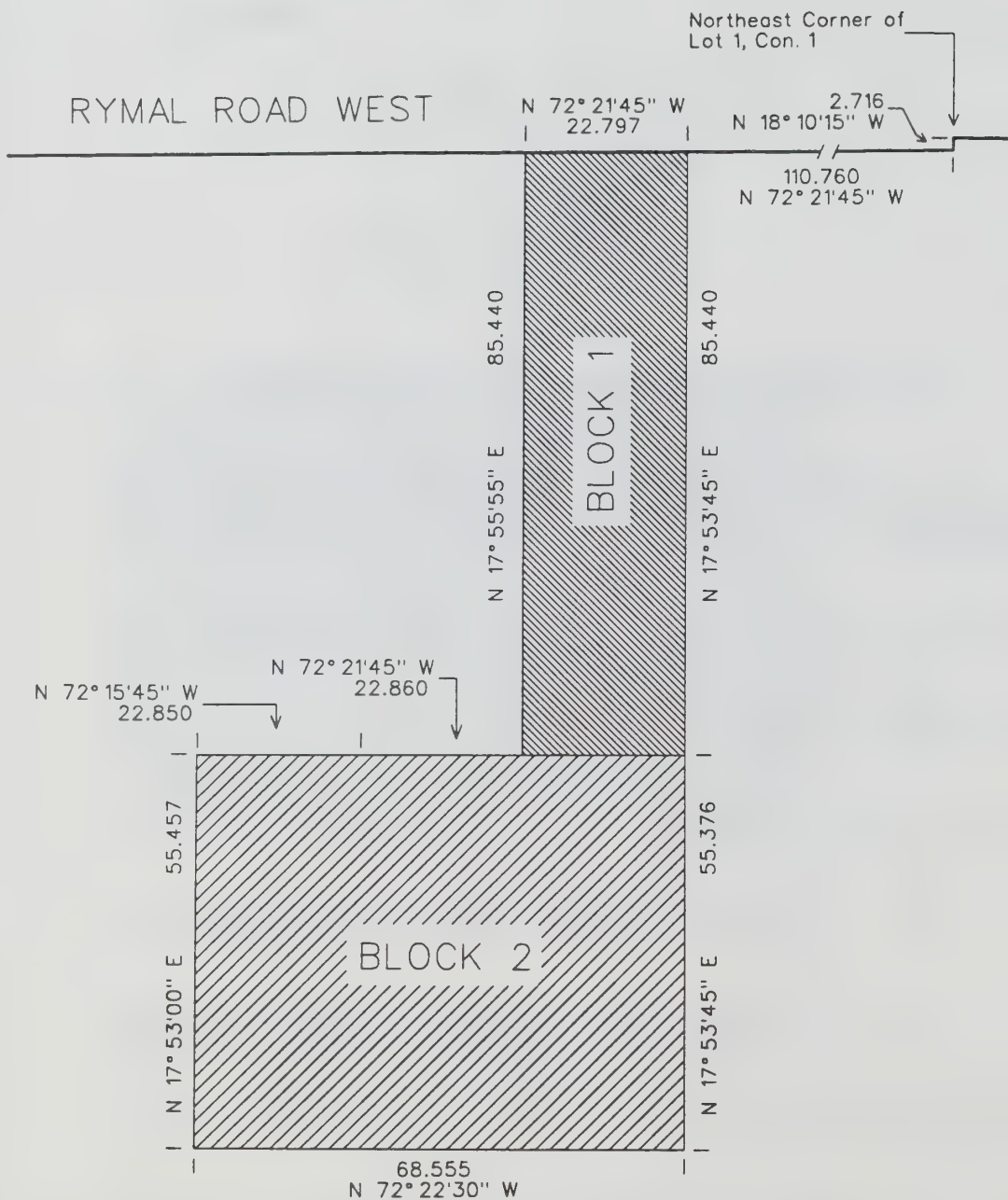
day of

A.D. 1993.

CITY CLERK

MAYOR





NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93-\_\_\_\_  
Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1993.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**City of Hamilton**  
**Schedule A**  
Map Forming Part of  
By-Law No. 93-\_\_\_\_\_  
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**  
Change in zoning from "AA" (Agricultural)  
District to:



"B" (Suburban Agriculture and Residential,  
etc.) District.

"C" (Urban Protected Residential, etc.)  
District.

North



Scale  
NOT TO SCALE

Date  
JULY 1993

Reference File No.  
ZAC-93-15

Drawn By  
P.B.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Authorize

**BUILDING PERMITS AND FEES**

**WHEREAS** Section 7 of the Building Code Act, 1992, S.O. 1992, Chapter 23, authorizes a municipal council to pass by-laws concerning the issuance of permits and related matters.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, on July 27, 1993, in adopting Item 14 of the 12th Report of the Planning and Development Committee authorized this by-law;

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. **SHORT TITLE**

This By-law may be cited as the "Building Permit By-law".

2. **DEFINITIONS AND WORD USAGE**

In this By-law:

- (1) (a) **"Act"** means the Building Code Act, 1992, as amended.
- (b) **"applicant"** means the **owner** of a building or property who applies for a **permit** or any person authorized by the **owner** to apply for a **permit** on the owner's behalf, or any person or corporation empowered by statute to cause the demolition of a building or buildings and anyone acting under the authority of such person or corporation.
- (c) **"Building Code"** means the regulation made under Section 34 of the **Act**.
- (d) **"Chief Building Official"** means the Chief Building Official appointed by Council under Section 3 of the **Act**.
- (e) **"owner"** means the registered owner of the land and includes a lessee, mortgagee in possession, and the person in charge of the property.
- (f) **"permit"** means permission or authorization given in writing by the **Chief Building Official** to perform work regulated by the **Act** and **Building Code**, or to occupy a building or part thereof or to change the use of a building.
- (g) **"permit holder"** means the person to whom the **permit** has been issued and who assumes the primary responsibility for complying with the **Act** and the **Building Code**.

### 3. CLASSES OF PERMITS

Classes of **permits** required for construction, demolition or change of use are set forth in Schedule "A" appended to and forming part of this By-law.

### 4. PERMITS

- (1) To obtain a **permit**, an **applicant** shall file an application in writing on forms prescribed by and available from the **Chief Building Official**, and shall supply any other information relating to the application as required by the **Chief Building Official**.
- (2) Every building **permit** application shall:
  - (a) identify and describe in detail the work, use and occupancy to be covered by the **permit** for which the application is made;
  - (b) identify and describe in detail the existing uses and the proposed use(s) for which the premises are intended;
  - (c) describe the land on which the work is to be done, by a description that will readily identify and locate the site on which the building or demolition is to occur;
  - (d) be accompanied by plans and specifications as described in the By-law;
  - (e) be accompanied by the required fees as calculated in accordance with Schedule "A";
  - (f) state the names, addresses and telephone numbers of the **owner**, **applicant**, architect, engineer or other designer, and the constructor of person hired to carry out the demolition, as the case may be;
  - (g) when Section 2.3 of the **Building Code** applies, be accompanied by a signed acknowledgment of the **owner** on a form prescribed by the **Chief Building Official** that an architect or professional engineer, or both, have been retained to carry out the general review of the construction or demolition of the building;
  - (h) when Section 2.3 of the **Building Code** applies, be accompanied by a signed statement of the architect or professional engineer, or both, on a form prescribed by the **Chief Building Official**, undertaking to provide general review of the construction or demolition of the building;
  - (i) include, where applicable, the registration number of the builder or vendor as provided in the Ontario New Home Warranties Plan Act;
  - (j) state estimated valuation of the proposed work including material and labour; and
  - (k) be signed by the **applicant** who shall certify as to the truth of the contents of the application.
- (3) In addition to the requirements of subsection (2) above, every demolition **permit** application shall:

- (a) when Section 2.3 of the **Building Code** applies, be accompanied by structural design characteristics of building and the method and time schedule of the demolition;
  - (b) be accompanied by satisfactory proof that arrangements have been made with the proper authorities for the termination and capping of all the water, sewer, gas, electric, telephone or other utilities and services; and
  - (c) the form specified by the **Chief Building Official**.
- (4) In addition to the requirements of subsection (2) above, every building **permit** application for part of a building shall:
  - (a) include an application for the entire project; and
  - (b) include plans and specifications covering the part of the work for which more expeditious approval is desired, together with such information pertaining to the remainder of the work as may be required by the **Chief Building Official**.
- (5) In addition to the requirements of subsection (2) above, every conditional **permit** application for the construction of a building shall:
  - (a) state the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional **permit** is not granted; and
  - (b) state necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained.
- (6) In addition to the applicable requirements of subsection (2) above, every change of use **permit** application shall:
  - (a) describe the building or part thereof in which the occupancy is to be changed; and
  - (b) include plans and specifications which show the current and proposed occupancy of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the **Building Code** including, floor plans, details of wall, floor and roof assemblies identifying required fire resistance rating and load bearing capacities.
- (7) The **Chief Building Official** shall, where conditions in subsection (4) above have been fulfilled, issue a **permit** for part of a building subject to compliance with the **Act**, the **Building Code** and any applicable law.
- (8) The **Chief Building Official** may, where conditions in subsection 8(3) to 8(5) of the **Act** and subsection (5) above have been fulfilled, issue a conditional **permit** for a building subject to compliance with the **Act**, the **Building Code** and any applicable law.
- (9) The **Chief Building Official** shall not, by reason of the issuance of a **permit** or **permits** for a part or parts of the building issued under subsections (4) and (5), be under any obligation to grant any further **permit** or **permits** therefor.



- (10) Where an application for a **permit** remains incomplete or inactive for six months after it is made, the application may be deemed by the **Chief Building Official** to have been abandoned and notice thereof shall be given to the applicant.

## 5. PLANS AND SPECIFICATIONS

- (1) Every applicant shall furnish,
- (a) sufficient plans, specifications, documents and other information to enable the **Chief Building Official** to determine whether the proposed construction, demolition, or change of use conforms to the **Act**, the **Building Code**, and any other applicable law; and
  - (b) a site plan referenced to a current plan of survey certified by a registered Ontario Land Surveyor and a copy of such a survey shall be filed with the municipality unless this requirement is waived because the **Chief Building Official** is able, without having a current plan of survey, to determine whether the proposed work conforms to the **Act**, the **Building Code**, and any other applicable law. Site plan will include
    - i) lot size and dimensions of property lines and setbacks to any existing or proposed buildings;
    - ii) existing and finished ground levels or grades; and
    - iii) existing right of way, easements and municipal services.
- (2) Plans submitted shall be legible and be drawn to scale upon paper or other suitable and durable material.
- (3) The **Chief Building Official** shall determine the number of plans, specifications, documents and other information required to be furnished with an application for **permit** having regard for the requirements of any **Act**, regulation or By-law respecting the examination or circulation of the application.
- (4) On completion of the construction of a building, the **Chief Building Official** may require a set of as constructed plans, including a plan of survey showing the location of the building.
- (5) Plans and specifications furnished according to this By-law or otherwise required by the **Act** become the property of the municipality and will be disposed of or retained in accordance with relevant legislation.

## 6. FEES

- (1) The **Chief Building Official** shall determine the required fees calculated in accordance with Schedule "A" for the work proposed and the applicant shall pay such fees. No **permit** shall be issued until the fees therefor have been paid in full.
- (2) In the case of withdrawal, or abandonment of an application, pursuant to subsection 4(10), refusal for issuance of a **permit** or request for revocation of a **permit** under Clause 8(10)(e) of the **Act** and upon written request, the **Chief Building Official** shall determine the amount of fees, if any, that may be refunded, in accordance with Schedule "B" attached hereto and forming part of this By-law.

- (3) Subject to subsection 7(1), there shall be no refund of **permit** fees where a **permit** has been revoked.
- (4) Every person applying for a **permit**, when construction, demolition or a change in the use of the building has commenced prior to the issuance of the required **permit**, shall pay the fee required by Schedule "C" as well as the **permit** fee set out in Schedule "A" attached hereto and forming part of this By-law.

## 7. PERMIT REVOCATION, DEFERRAL OF REVOCATION AND TRANSFER

### (1) Revocation of Permit

Prior to revoking a **permit** under Clauses 8(10)(b) and (c) of the **Act**, the **Chief Building Official** shall give written notice by regular mail of intention to revoke to the **permit holder** at his last known address and, if on the expiration of thirty (30) days from the date of such notice, the ground for revocation continues to exist, the **permit** may be revoked without further notice and all submitted plans and other information may be disposed of.

### (2) Deferral of Revocation

- (a) On receipt of a notice of intention to revoke a **permit**, a **permit holder** may request in writing within thirty (30) days from the date thereof of the **Chief Building Official** to defer the revocation of such **permit**.
- (b) A request for deferral shall set out the reasons why the **permit** should not be revoked and the date by which the work will be commenced or resumed.
- (c) Having considered the circumstances of the request and having determined that there have been no changes to the **Act** and the **Building Code** and any other applicable law which would have prevented the issuance of the original **permit**, the **Chief Building Official** may allow a deferral to a prescribed date, and shall notify the **permit holder**.
- (d) A request for deferral of revocation is subject to a fee in accordance with Schedule "B".

### (3) Transfer of Permit

- (a) **Permits** are transferrable only upon the new **owner** completing a **permit** application form to the requirements of section 4.
- (b) A fee, as prescribed in Schedule "A" shall be payable on a transfer of **permit** by the new **owner** who shall thenceforth be the **permit holder** for the purpose of the **Act** and the **Building Code**.

## 8. NOTIFICATIONS

Notices for inspections respecting stages of construction required by the **Building Code** shall be given by the **permit holder** to the **Chief Building Official** at least two business days in advance of each stage of construction specified therein.

## 9. SEVERABILITY AND SAVING

Should a court of competent jurisdiction declare a part or the whole of any provision of this by-law to be invalid or of no force and effect, the provision or part is deemed severable from this by-law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under the law.

**10. REPEAL**

By-law No. 85-86, as amended, is hereby repealed.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

CITY CLERK

MAYOR

(1993) 12th R.P.D.C. 14, July 27

**SCHEDULE "A"**  
**TO BY-LAW NO. 93-**

**FEEES**

<b>CLASS OF PERMIT</b> (Column 1)	<b>FEE</b> (Column 2)
1. Permit for the construction of a building or part thereof	Basic Fee of \$150.00 for construction up to \$10,000.00  <b>PLUS</b>  an amount calculated at the rate of \$9.00 per each \$1,000.00 or part thereof of the cost or valuation of construction in excess of the first \$10,000.00
2. Permit for installation of air conditioning unit, heat pump	\$75.00
3. Permit for re-shingling of roof for single family dwelling	\$75.00
4. Permit where the cost of construction is less than \$1,000.00	\$75.00
5. Permit for the installation of a tent	\$40.00
6. Permit for the demolition of:	
(1) a building	\$220.00 plus an amount calculated at the rate of \$25.00 per each additional 3,000 cubic metres or part thereof in excess of the first 3,000 cubic metres
(2) a non-serviced accessory building	\$100.00
(3) a garage or shed of a single family dwelling	\$75.00
7. Permit to authorize the occupancy of a building or part thereof,	
(1) first inspection	No fee
(2) each inspection after first inspection	\$35.00
8. Permit for change of use	\$150.00
9. Transfer of Permit	\$0.00



**SCHEDULE "B"**  
**TO BY-LAW NO. 93-**  
**REFUND OF PERMIT FEES**

1. The fees that may be refunded shall be a percentage of the Fees payable under this By-law, as follows:
  - (i) 80 per cent if administrative functions only have been performed;
  - (ii) 70 per cent if administrative and zoning functions only have been performed;
  - (iii) 45 per cent if administrative, zoning and plan examination functions have been performed;
  - (iv) 35 per cent if the permit has been issued and no field inspections have been performed subsequent to permit issuance;
  - (v) 5 per cent shall additionally be deducted for each field inspection that has been performed after the permit has been issued.
2. Notwithstanding paragraph numbered 1 to this Schedule, no refund shall be made of an amount less than \$10.00.

**SCHEDULE "C"**  
**TO BY-LAW NO. 93-**

Work Completed Prior to Permit Issuance (Column 1) _____	Increase in Permit Fee (Column 2) _____
(a) Footings and Foundations	10%
(b) Structural Framing	25%
(c) Mechanical/Electrical Systems	50%
(d) Architectural	75%
(e) Building Completed	100%
(f) Demolition or Partial Demolition	100%

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS. 260-280 KING STREET EAST**

**WHEREAS** it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-4 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "H" (Community Shopping and Commercial, etc.) District to "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District, referred to in Section 1. shall be subject to the special requirements that,

- (a) the applicant/owner shall apply for and receive approval of a Site Plan Control application and have it registered on title;
- (b) upon completion of all of the matters contained in subclause 2.(a), the 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in Section 1. may proceed in accordance with the "H" District provisions, subject to the special requirements referred to in Section 3. of this by-law.

3. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

- (a) notwithstanding Sections 14(1)(iia), 14(2) and 14(5) of By-law No. 6593, a mixed commercial/ residential building shall be permitted provided that,
  - (i) it contains not more than 127 dwelling units;
  - (ii) the building height is not more than 12 storeys;
  - (iii) the gross floor area ratio is not more than 6.31; and

- (iv) the multiple dwelling is attached to only commercial use(s) permitted under the "CR" (Commercial-Residential) Districts [Section 15B(3)(b)] of Zoning By-law No. 6593;
  - (b) all residential uses shall be located completely and functionally separate from any commercial uses, and pedestrian access to the residential units shall be completely separate from pedestrian access to the commercial uses;
  - (c) a minimum landscaped area of 600.0 m<sup>2</sup> (6,458 sq. ft.) shall be provided and maintained either at or above grade, or any combination thereof;
  - (d) notwithstanding Sections 18A(1)(c) and 18A(1)(d) of By-law No. 6593, one loading space having minimum dimensions of 18.0 m x 3.7 m x 4.3 m shall be provided and maintained on the lot;
  - (e) notwithstanding Section 18A(9) of By-law No. 6593, the manoeuvring space for the required loading space shall be located off-site;
  - (f) notwithstanding Sections 18A(1)(a) and 18A(9) of By-law No. 6593, thirty-two (32) of the required number of parking spaces for the residential/commercial project may be provided off the site, and partially within the adjacent road allowance.
4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 3.
5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1189.
6. Sheet No. E-4 of the District Maps is amended by marking the land referred to in section 1 of this by-law, S-1189.
7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

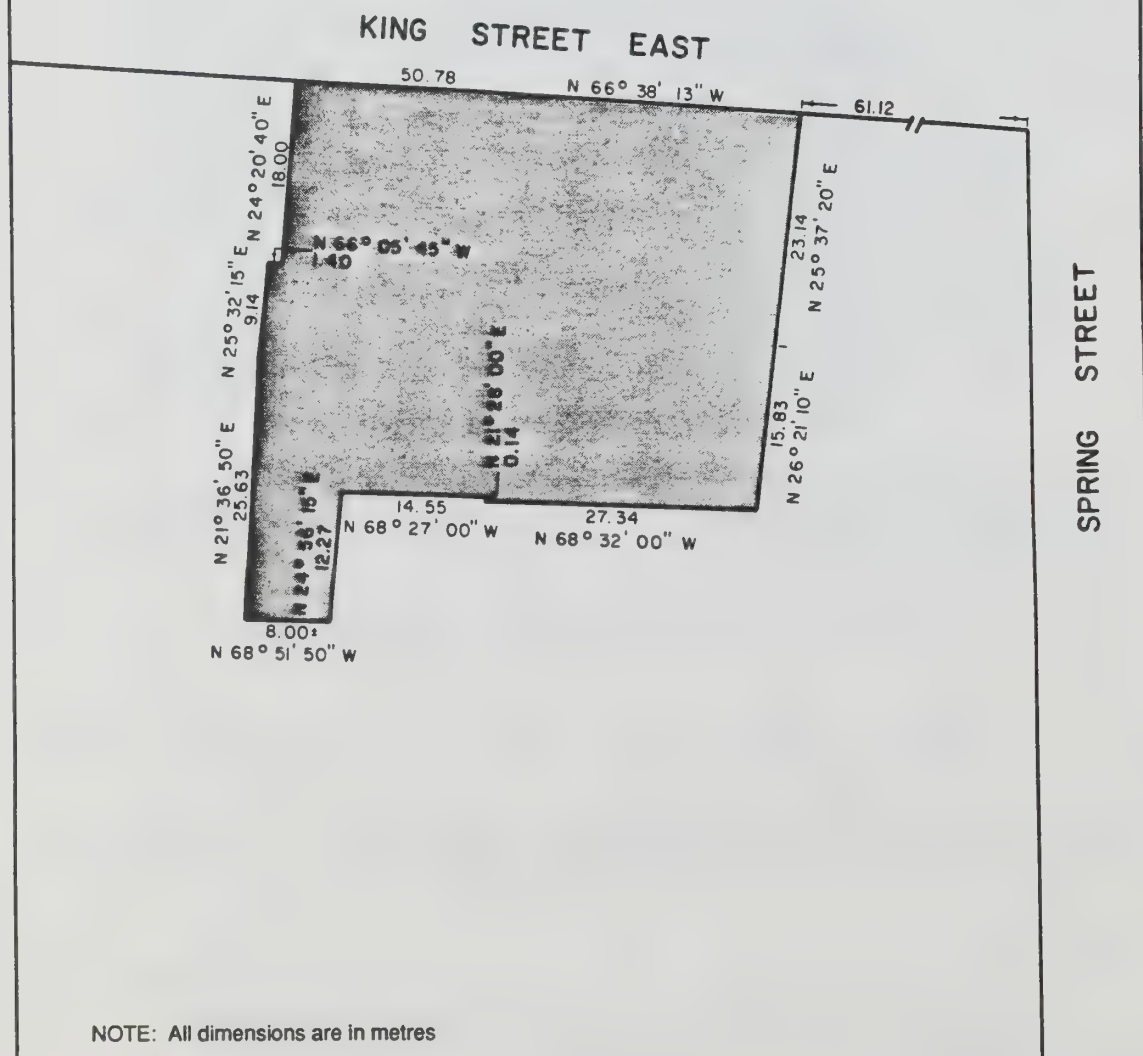
PASSED this                      day of

A.D. 1993

CITY CLERK

MAYOR





This is Schedule "A" to By-Law No. 9 .....  
 Passed the ..... day of ..... , 199 .

.....  
 Clerk

.....  
 Mayor

City of Hamilton

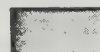
## Schedule A

Map Forming Part of  
 By-Law No. 9 .....

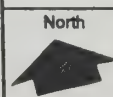
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

### Legend



Lands to be regulated by  
 By-Law No. 9 .....



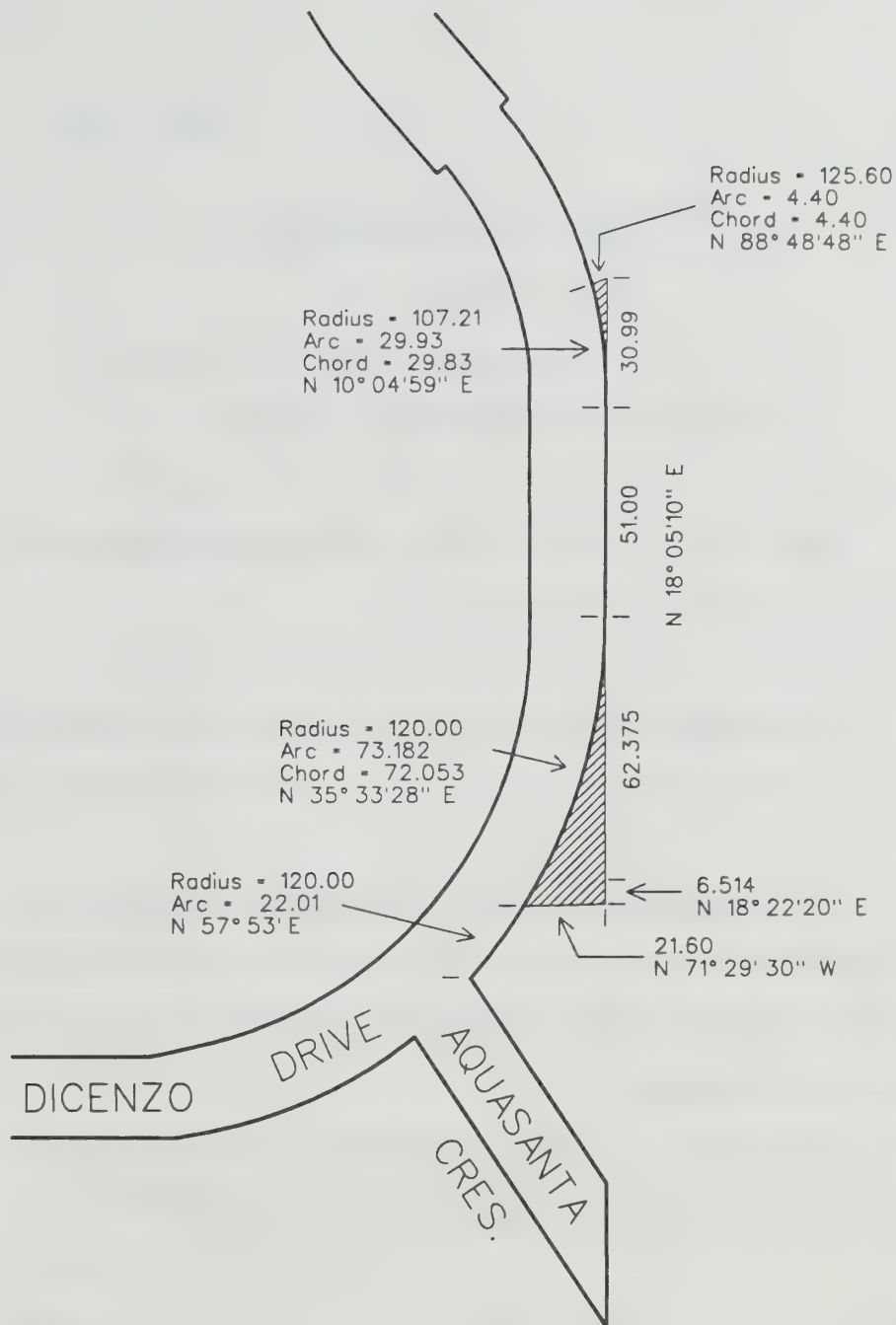
North

Scale  
 NOT TO SCALE

Reference File No.  
 ZA 90-06

Date  
 SEPTEMBER, 1990

Drawn By  
 L.B.



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93-\_\_\_\_  
Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1993.

\_\_\_\_\_  
Clerk

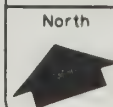
\_\_\_\_\_  
Mayor

**City of Hamilton**  
**Schedule A**  
Map Forming Part of  
By-Law No. 93-\_\_\_\_  
to Amend By-Law No. 6593  
Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**



Change in zoning from:  
"AA" (Agricultural) District to "C"  
(Urban Protected Residential, etc.)  
District.



North

Scale  
NOT TO SCALE

Reference File No.  
ZAR-93-13

Date  
JULY 1993

Drawn By  
P.B.



The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Provide for the Hours of Operation for Monte Carlo Licences

**WHEREAS** the power to fix the hours of operation of Monte Carlos has been delegated to municipalities effective August 1, 1993;

**AND WHEREAS** the Corporation of the City of Hamilton, in By-law 79-323 as consolidated in By-law 93-069 (The City of Hamilton Licensing Code) provides for the hours of operation of public halls;

**AND WHEREAS** it is desirable to extend the hours of operation of Monte Carlo events to 4 a.m., and in conjunction to permit the hours of operation for public halls where such events may be held to be extended up to 4 a.m., when operating an event under a provincial Monte Carlo licence;

**AND WHEREAS** it is intended that the extended hours of operation of Monte Carlo events be on a six month trial basis;

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 4 of Schedule 15 of By-law 93-069 as amended, is further amended by adding paragraph (cc) immediately after paragraph 4(c) as follows:

"(cc) Subject to the terms and conditions of the charitable gaming licence, a public hall which may be used to conduct a Monte Carlo event under a provincial charitable gaming licence is permitted to open for the licensed event until up to 4 a.m. local time."





BY-LAW NO. 93 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 27TH DAY OF JULY A.D., 1993.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this            27th                            day of        July                            A.D. 1993

CITY CLERK

MAYOR



URBAN/MUNICIPAL

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**MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1993 August 31  
7:30 o'clock p.m.  
Council Chambers, City Hall**

**J. J. Schatz  
City Clerk**

**AGENDA**

**1. National Anthem - Cory Steenkist Singer/Entertainer**

**2. Opening Prayer**

*Reverend Joan Robertson  
Pioneer Memorial United Church*

**3. Presentations**

**(a) Certificate of Recognition - Shelagh Freedman**

**(b) City Retirement Recognition 1993**

**4. Minutes**

**(a) 1993 July 27**

**(b) 1993 July 30 - Special Meeting**

**(c) 1993 August 9 - Special Meeting**





5. *Petitions and Correspondence*
6. *Reports of the Standing Committees*
  - (a) *Transport and Environment Committee*
  - (b) *Parks and Recreation Committee*
  - (c) *Planning and Development Committee*
  - (f) *Mayor's Report*
  - (h) *Finance and Administration Committee*
7. *Notices of Motion for Next Meeting*
8. *First Reading of the Bills*
9. *Second Reading of the Bills - Committee of the Whole*
10. *Third Reading of the Bills*
11. *Question Period*
12. *Adjournment.*



# **M I N U T E S**





Minutes of Hamilton City Council  
1993 July 27th  
7:30 o'clock p.m.  
Council Chambers, City Hall

The Council met:

Present: Mayor Robert M. Morrow  
Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson,  
Eisenberger, Agostino, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

\* \* \* \* \*

The National Anthem was played.

\* \* \* \* \*

Rev. Trent Walker, Bethel African Methodist Episcopal Church led Council in Prayer.

\* \* \* \* \*

Mayor R. M. Morrow proclaimed the week of August 1 - 7, 1993 as "World Breastfeeding Week"

\* \* \* \* \*

The minutes of the Regular meeting of 1993 June 29 and the Special meeting of 1993 July 20 were adopted as circulated.

\* \* \* \* \*

**CORRESPONDENCE**

1. Application dated 1993 June 30 from Mr. W. Heck, Burlington, Ontario for a further modification to the "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations for property located at Nos. 305-307 Main Street West, Hamilton, Ontario.

**Recommendation:                      Received.**

2. Application dated 1993 June 30 from Trustees of Bethel Gospel Tabernacle, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District for lands located at Nos. 1321, 1329, 1335 and 1343 Upper Wellington Street, Hamilton, Ontario.

**Recommendation:                      Received.**

3. Application dated 1993 July 16 from 822827 Ontario Inc. (A. DiSilvestro) for a change in zoning from "DE-2" (Multiple Dwellings) District modified and "E-2" (Multiple Dwellings) District modified to "R-4" (Small Lot Single-Family Detached) District for lands located in the area north of Limeridge Road East and west of Upper Kenilworth Avenue, Hamilton, Ontario.

**Recommendation:                      Received.**

4. Application dated 1993 July 20 from 177965 Canada Limited c/o Vince Serratore (Imperial Oil), Willowdale, Ontario for a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations, for property located at No. 528 Mohawk Road East, Hamilton, Ontario.

**Recommendation:                      Received.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, the Mayor's Report, the Finance and Administration Committee, and the City Council Committee of the Whole be now considered in Committee of the Whole with Alderman Drury in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

**CARRIED.**

**TRANSPORT AND ENVIRONMENT COMMITTEE - TENTH REPORT**

**PARKS AND RECREATION COMMITTEE - THIRTEENTH REPORT**

**Section 1 (d) Re: Initial Fee - Parking Space Signs - 96 Mary St. (Beasley Park)**

It was moved by Alderman Agro and seconded by Alderman Kiss that Sub-Section (d) of Section 1 of the Thirteenth Report of the Parks and Recreation Committee be referred back.

**CARRIED.**

\* \* \* \* \*



**Section 3 Re: Selling of Beer - Canada Employment and Immigration Slo-Pitch Team - Globe Park**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

**NAYS:** Alderman Jackson -1.

**CARRIED.**

<p><b>PARKS AND RECREATION COMMITTEE - FOURTEENTH REPORT</b></p>
--

**Section 1 Re: Purchase Order - Frank Bufalino & Sons Construction Ltd. - Hamilton Tennis Club**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

**NAYS:** Alderman Copps. -1.

**CARRIED.**

\* \* \* \* \*

**Section 2 (a) Re: Selling of Alcoholic Beverages - Greek Canadian Church - Inch Park**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, D'Amico, Ross. -14.

**NAYS:** Aldermen Jackson, Merling, Anderson. -3.

**CARRIED.**

**PLANNING AND DEVELOPMENT COMMITTEE - TWELFTH REPORT**

**Section 1 Re: City Initiative 93-A - General Text Amendment**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Merling, Anderson, D'Amico. -11.

**NAYS:** Aldermen Cooke, Morelli, Agostino, Charters, Jackson, Ross. -6.

**CARRIED.**

**Section 9 Re: Zoning Application 89-57, Ascenzo Lepore - 236-250 Rymal Rd. W.**

It was moved by Alderman Eisenberger and seconded by Alderman Charters that Section 9 of the Twelfth Report of the Planning and Development Committee be amended by replacing Appendix "D" as the legend on the original Appendix "D" was incorrect.

**CARRIED.**

\* \* \* \* \*

**Section 25 Re: Building Permit Fees - Hamilton Tiger Cats - 100 King Street West**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson. -10.

**NAYS:** Aldermen Kiss, Agro, Drury, Charters, Jackson, D'Amico, Ross. -7.

**CARRIED.**

**LICENSING COMMITTEE - THIRD REPORT**

**MAYOR'S REPORT - FIRST REPORT**

**FINANCE AND ADMINISTRATION COMMITTEE - FOURTEENTH REPORT**

**Section 2 Re: Monte Carlo Events in Public Halls**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, D'Amico, Ross. -10.

**NAYS:** Aldermen Kiss, Copps, Wilson, Charters, Jackson, Merling, Anderson. -7.  
**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Ross and seconded by Alderman Agro that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to consider two resolutions dealing with the extension of liquor licences to outside areas of licenced establishments.  
**CARRIED.**

\* \* \* \* \*

**Section 28 Re: Liquor Licence Board of Ontario - Hess Village Musicfest**

It was moved by Alderman Ross and seconded by Alderman Agro that the following be added to the Fourteenth Report for 1993 of the Finance and Administration Committee as Section 28:

28. (a) That the Liquor Licence Board of Ontario be advised that Hamilton City Council is aware of Musicfest being held at Hess Village Pedestrian Mall, 1993 July 30 and 31, and deems this community festival to be of municipal significance to the City of Hamilton; and,
- (b) That the City of Hamilton has no objection to the issuance of a temporary extension of a liquor licence to the proprietors of Amigos Hot House and Scotsman Pub on George Street, subject to the following conditions:
- (i) That the applicant meet all the requirements of the Liquor Licence Board of Ontario for the extension of their liquor licence to an outside designated area of the licenced establishment; and,
- (ii) That the applicant meet all the requirements of the Hamilton-Wentworth Regional Police with respect to policing, security and crowd control. **CARRIED.**

\* \* \* \* \*



**Section 29 Re: Liquor Licence Board of Ontario - Hess Village Bluesfest**

It was moved by Alderman Ross and seconded by Alderman Agro that the following be added to the Fourteenth Report for 1993 of the Finance and Administration Committee as Section 29:

29. (a) That the Liquor Licence Board of Ontario be advised that Hamilton City Council is aware of Bluesfest being held at Hess Village Pedestrian Mall, 1993 August 27 and 28, and deems this community festival to be of municipal significance to the City of Hamilton; and,
- (b) That the City of Hamilton has no objection to the issuance of a temporary extension of a liquor licence to the proprietors of Amigos Hot House and Scotsman Pub on George Street, subject to the following conditions:
- (i) That the applicant meet all the requirements of the Liquor Licence Board of Ontario for the extension of their liquor licence to an outside designated area of the licenced establishment; and,
- (ii) That the applicant meet all the requirements of the Hamilton-Wentworth Regional Police with respect to policing, security and crowd control. **CARRIED.**

**COMMITTEE OF THE WHOLE - EIGHTH REPORT**

**Section 1 (f) Re: Funding Adjustments - Provincial Budget and Expenditure Control Plan**

It was moved by Mayor Morrow and seconded by Alderman Ross that the Eighth Report of the Committee of the Whole for 1993 be amended by adding the following to Section 1 as sub-section (f):

- (f) and that staff be directed to bring back further recommendations for funding adjustments in the amount of \$88,420. to offset the identified funding requirements.  
**CARRIED.**

\* \* \* \* \*

**Section 2 Re: Art Gallery of Hamilton - Sculpture Court on Commonwealth Square**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Agostino, Jackson, Ross. - 10.

**NAYS:** Aldermen Copps, Wilson, Eisenberger, Charters, Merling, Anderson, D'Amico. -7.  
**CARRIED.**

\* \* \* \* \*

**Section 3 Re: Art Gallery of Hamilton - Sculpture Court on Commonwealth Square**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Agostino, Jackson, Ross. - 10.

NAYS: Aldermen Copps, Wilson, Eisenberger, Charters, Merling, Anderson,  
D'Amico. -7. **CARRIED.**

## RESOLUTIONS

It was moved by Alderman Agostino and seconded by Alderman Eisenberger that Rule No. 8 of the Procedural By-law be invoked for this meeting of City Council to permit consideration of a resolution respecting a request for City Council to support the request of the Citizen Action Group for M.P.P. Dave Christopherson to launch a formal investigation into why the Citizen Action Group's contract with the Jobs Ontario Program is being terminated on July 31, 1993.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, Drury, Morelli, Copps, Agostino,  
Eisenberger, D'Amico. -8.

NAYS: Aldermen Cooke, Kiss, Wilson, Charters, Jackson, Merling, Anderson, Ross. -  
8. **LOST.**

## ACTING MAYOR

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman F. Eisenberger be appointed Acting Mayor for the month of August, 1993. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, the Mayor's Report, the Finance and Administration Committee, and the City Council Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

<p>ADOPTION OF BILLS</p>
--------------------------

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-57, A-58, A-59, A-60, A-61.

C-52, C-56, C-57, C-58, C-59, C-60, C-61, C-62, C-64.

H-48, H-49, H-50.

I-1.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

\* \* \* \* \*



It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Drury in the chair. (second reading).

A-57, A-58, A-59, A-60, A-61.  
C-52, C-56, C-57, C-58, C-59, C-60, C-61, C-62, C-64.  
H-48, H-49, H-50.  
I-1.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**Consideration of the Bills (second reading).**

\* \* \* \* \*

It was moved by Alderman Cooke seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-57, A-58, A-59, A-60, A-61.  
C-52, C-56, C-57, C-58, C-59, C-60, C-61, C-62, C-64.  
H-48, H-49, H-50.  
I-1

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-57, A-58, A-59, A-60, A-61.

C-52, C-56, C-57, C-58, C-59, C-60, C-61, C-62, C-64.

H-48, H-49, H-50.

I-1.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

City Council then adjourned at 9:05 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

---

Mayor R. M. Morrow

J.J. Schatz, City Clerk

1993 July 27



Minutes of Hamilton City Council  
1993 July 30th  
9:30 o'clock a.m.  
Room 233, City Hall

The Council met:

Present: Mayor Morrow,  
Aldermen Cooke, Kiss, McCulloch, Morelli, Copps, Wilson, Agostino,  
Charters, Jackson, Merling, Anderson, D'Amico.

Absent: Alderman V. Agro - other business  
Alderman D. Drury - other business  
Alderman F. Eisenberger - vacation  
Alderman D. Ross - other business

It was moved by Alderman Cooke and seconded by Alderman Merling that Council move into Committee of the Whole to consider the Report of the City Council Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -13.

NAYS: -0.

**CARRIED.**

<p><b>COMMITTEE OF THE WHOLE - NINTH REPORT</b> Social Contract Agreement - Non Union, Local 167 and 1041</p>
---

It was moved by Alderman Cooke and seconded by Alderman Merling that the Report of the Committee of the Whole on the Report of the City Council Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -13.

NAYS: -0.

**CARRIED.**



**ADOPTION OF BILLS**

It was moved by Alderman Cooke and seconded by Alderman Merling that Bill I-02 be now read a first time:

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -13.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Merling that Council move into Committee of the Whole to consider Bill I-02, with Mayor Morrow in the chair. (second reading).

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -13.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**Consideration of the Bills (second reading).**

\* \* \* \* \*

1993 July 30

It was moved by Alderman Cooke seconded by Alderman Merling that the Report of the Committee of the Whole on Bill I-02, be adopted. -

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -13.

NAYS: -0. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Merling that Bill I-02 be now read a third time, signed, sealed and enrolled as a By-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -13.

NAYS: -0. **CARRIED.**

\* \* \* \* \*

City Council then adjourned at 10:15 o'clock a.m.

\* \* \* \* \*

Taken as read and approved.

---

Mayor Morrow

S. G. Hollowell,  
Acting City Clerk  
1993 July 30



Minutes of Hamilton City Council  
1993 August 9  
1:15 o'clock p.m.  
Council Chambers City Hall

The Council met:

Present: Mayor Morrow,  
Aldermen Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger,  
Charters, Merling, Anderson, D'Amico.

Absent: Alderman T. Cooke - Vacation  
Alderman W. McCulloch - Vacation  
Alderman T. Jackson - Vacation  
Alderman D. Ross - Regional Business

It was moved by Alderman Wilson and seconded by Alderman Copps that Council move into Committee of the Whole to consider the Report of the City Council Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Copps, Wilson,  
Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico. -13.

NAYS: -0.

**CARRIED.**

<p><b>COMMITTEE OF THE WHOLE - TENTH REPORT</b> Social Contract Agreements Stop Sign Control</p>
--

It was moved by Alderman Wilson and seconded by Alderman Copps that the Report of the Committee of the Whole on the Report of the City Council Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Copps, Wilson,  
Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico. -13.

NAYS: -0.

**CARRIED.**



**ADOPTION OF BILLS**

It was moved by Alderman Wilson and seconded by Alderman Copps that Bills I-03 and I-04 be now read a first time:

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico. -13.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Wilson and seconded by Alderman Copps that Council move into Committee of the Whole to consider Bills I-03 and I-04, with Mayor Morrow in the chair. (second reading).

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico. -13.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**Consideration of the Bills (second reading).**

\* \* \* \* \*

1993 August 9

It was moved by Alderman Wilson and seconded by Alderman Copps that the Report of the Committee of the Whole on Bills I-03 and I-04, be adopted. -

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico. -13.

NAYS: -0.

CARRIED.

\* \* \* \* \*

It was moved by Alderman Wilson and seconded by Alderman Copps that Bills I-03 and I-04 be now read a third time, signed, sealed and enrolled as By-laws.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico. -13.

NAYS: -0.

CARRIED.

\* \* \* \* \*

City Council then adjourned at 1:20 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

---

Mayor Morrow

S. G. Hollowell,  
Acting City Clerk  
1993 August 9



## **CORRESPONDENCE**





**Correspondence:**

1. Letter dated 1993 August 26 from Reverend David Shepherd, Bethel Gospel Tabernacle requesting the changing of the celebration of Halloween from Sunday, October 31, 1993 to Saturday, October 30, 1993.

**Recommendation: Be Referred to the Finance and Administration Committee.**

2. Application dated 1993 July 23 from the Hamilton-Wentworth Roman Catholic Separate School Board, Hamilton, Ontario for a change in zoning from "J" (Light and Limited Heavy Industry, etc.) District, modified to "DE-3" (Multiple Dwellings) District modified for lands located at No. 687 King Street East, Hamilton, Ontario.

**Recommendation: Be Received.**

3. Application dated 1993 August 4 from Mr. Jorge Mota, Hamilton, Ontario for a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations for property located at No. 1042 Barton Street East, Hamilton, Ontario.

**Recommendation: Be Received.**

4. Application dated 1993 August 5 from Benemar Construction Inc. and the City of Hamilton for a change in zoning from "RT-20" (Townhouse-Maisonette) District modified to "AA" (Agricultural) District for Block "1" and from "AA" (Agricultural) District modified to "RT-20" (Townhouse-Maisonette) District for Block "2", for lands located east of Upper Wentworth Street and north of Vineberg Drive, Hamilton, Ontario.

**Recommendation: Be Received.**

5. Application dated 1993 August 16 from Investland Corporation Limited, Hamilton, Ontario for an amendment to the Official Plan Amendment to establish a "Special Policy Area" to permit a retail warehouse within the "industrial" designation, and for modifications to the established "JJ" (Restricted Light Industrial) District regulations (Block "1") and to the "KK" (Restricted Heavy Industrial) District regulations (Block "2") for property located at No. 8 Burford Road.

**Recommendation: Be Received.**

6. Application dated 1993 August 25 from Mike Ilich, Stoney Creek for a change in zoning from "DE" (Low Density Multiple Dwellings) District to "H" (Community Shopping and Commercial, etc.) District for property located at No. 280 Weir Street North, Hamilton, Ontario.

**Recommendation: Be Received.**

Correspondence - continued

7. Letter dated 1993 July 30 from S. G. Hollowell, Acting City Clerk respecting objections to By-law No. 93-143 respecting property at 29 Severn Street, Hamilton, Ontario. (previously distributed).

**Recommendation: Be Received.**

8. Letter dated 1993 August 26 from S. G. Hollowell, Acting City Clerk respecting objections to By-law No. 93-168 respecting property at 260-280 King Street East, Hamilton, Ontario. (previously distributed).

**Recommendation: Be Received.**

9. Letter dated 1993 August 26 from S. G. Hollowell, Acting City Clerk respecting objections to By-law No. 93-163 respecting property south of Mud Street and West of Upper Mount Albion Road, Hamilton, Ontario. (previously distributed).

**Recommendation: Be Received.**

\* \* \* \* \*

# Bethel Gospel Taberna

Senior Pastor: Rev. David A. Shepherd

August 26, 1993

Post-It™ brand fax transmittal memo 7671		# of pages > /	
To	MAYOR MORROW	From	REV. SHEPHERD
Co.		Co.	
Dept.		Phone #	387-6530
Fax #	546-2095	Fax #	387-4566

Mr. Robert Morrow  
Mayor  
City of Hamilton  
119 King St. W.  
Hamilton, ON  
L8P 4T9

Dear Mr. Morrow:

Persuant to our telephone conversation regarding the official request for the changing of the celebration of Halloween from Sunday, October 31st to Saturday, October 30th.

This request is consistent with the last two times that Halloween has fallen on a Sunday evening in our city.

There are many reasons for this request among which are:

- a) It would be beneficial to the children since there would be no school the next day.
- b) It would be difficult for the church community in that it would interfere with families who wished to attend church services on the Sunday evening. Many families wish to be present in their homes during the "trick or treat" time.
- c) The proposed change should not create undue difficulty concerning community celebrations.

I appreciate this matter being addressed as soon as possible with City Council. I would be happy to attend City Council to speak to this matter.

Yours truly,

*Rev. David Shepherd*

Rev. David Shepherd









## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **ELEVENTH** Report for 1993 and respectfully recommends:

1. (a) That the existing "No Parking" regulation on the south and west sides of Golden Orchard Drive which commences at a point 126 feet west of Brigadoon Drive and extends to a point 215 feet northerly therefrom be shortened such that the regulation commences at a point 182 feet west of Brigadoon Drive and extends to a point 159 feet northerly therefrom; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
2. (a) That a "Permit Parking" regulation be implemented on both sides of Simcoe Street West between Bay Street North and MacNab Street North in place of the existing "One Hour Parking Time Limit, 24 Hours a Day, Seven Days a Week" regulation; and  
(b) That the Director of Traffic Services be authorized to issue two parking permits to residents of Nos. 31, 32, 35, 38, 40 and 42 Simcoe Street and No. 364 Bay Street North and one parking permit to residents of Nos. 28, 33, 34, 36, 44 and 46 Simcoe Street, and any additional permits (to a maximum of twenty-two) on a first come first served basis; and  
(c) That the City Traffic By-law 89-72 be amended accordingly.
3. (a) That parking be prohibited on both sides of Dalcar Court from Upper Paradise Road to the easterly end; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
4. (a) That a "No Parking" regulation be implemented on the south and south-west sides of Guildwood Drive commencing at a point 98 feet north west of the extended curb line of Gilcrest Street and extending to a point 153 feet westerly therefrom; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.

5. (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., seven days a week" regulation on the west side of East 27th Street between Fennell Avenue East and the extended south curb line of MacKenzie Road be revised, such that the regulation commences at a point 136 feet south of Fennell Avenue East and extends to the extended south curb line of MacKenzie Road; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
6. (a) That the existing "Alternate Side Parking" regulation on Brigadoon Drive between Garrow Drive and Fiona Crescent (east leg) be shortened, such that the regulation commences at Grenoble Road and extends to Fiona Crescent (east leg); and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
7. (a) That the existing "No Stopping, Wheelchair Loading Only, 7:00 a.m. to 9:00 p.m., seven days a week" regulation on the west side of Greendale Drive commencing at a point 184 feet south of the south curb line of the north leg of Greendale Drive and extending to a point 17 feet southerly therefrom, be removed; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
8. (a) That the existing "Permit Parking" regulation on the north side of Dunsmure Road commencing at a point 51 feet east of Graham Avenue North and extending to a point 20 feet easterly therefrom be removed; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
9. (a) That a "No Stopping, Wheelchair Loading Only, 9:00 a.m. to 10:00 p.m., seven days a week" regulation be implemented on the west side of East 26th Street commencing at a point 115 feet south of Queensdale Avenue East and extending to a point 25 feet southerly therefrom; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
10. (a) That a "Permit Parking" regulation be implemented on the west side of Leeming Street commencing at a point 84 feet south of Wright Avenue and extending to a point 22 feet southerly therefrom; and  
(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Randy Taylor, No. 73 Leeming Street; and  
(c) That the City Traffic By-law 89-72 be amended accordingly.

11. (a) That a "Permit Parking" regulation be implemented on the east side of Broadway Avenue commencing at a point 336 feet south of Ainslie Avenue and extending to a point 24 feet southerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Dietmar Pietsch, No. 293 Broadway Avenue; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.
12. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first four applicants residing in the apartment building at No. 148 Robinson Street.
13. (a) That eastbound traffic on Pinard Street be required to stop for northbound and southbound traffic on Selway Court; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
14. (a) That eastbound traffic on Connor Court be required to stop for northbound and southbound traffic on Parklands Drive; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
15. (a) That westbound traffic on Fano Drive (north leg) be required to stop for northbound and southbound traffic on Acadia Drive; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
16. (a) That four-way stop control be implemented at the intersection of Limeridge Road West and Bonaventure Drive; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
17. (a) That northbound traffic on Annabelle Street (west leg) be required to stop for eastbound and westbound traffic on Chester Avenue; and
- (b) That eastbound traffic on Brigadoon Drive be required to stop for northbound and southbound traffic on Appleblossom Drive; and
- (c) That northbound traffic on Appleseed Place be required to stop for eastbound and westbound traffic on Brigadoon Drive; and
- (d) That the City Traffic By-law 89-72 be amended accordingly.



18. (a) That in accordance with the request by the Hamilton Street Railway Company:

- i. the following bus routing be approved:

Route 23 Upper Gage

Northbound - Eva Street from Rymal Road East to Eaglewood Drive.

Westbound - Eaglewood Drive from Eva Street to Eleanor Avenue.

- ii. the following bus stop be relocated:

Route 23 Upper Gage

Delete - Northbound - Eleanor Avenue, east side, 195 feet north of the centre line of Rymal Road (M/B),

Add - Westbound - Eaglewood Drive, north side, 39 feet east of the east curb line of Eleanor Avenue (N/S); and

- (b) That the City Traffic By-law 89-72 be amended accordingly.

19. That in accordance with the request by the Hamilton Street Railway Company the following bus stop relocation be approved:

Route 45 Limeridge

Delete - Eastbound - Limeridge Road East, south side, 39 feet west of the west curb line of Leggett Crescent (east leg) (N/S),

Add - Eastbound - Limeridge Road East, south side, 97 feet east of the east curb line of Leggett Crescent (east Leg) (F/S).



20. (a) That the construction of an independent concrete sidewalk on the east side of Upper Ottawa Street from Stone Church Road to approximately 275 m northerly proceed as a local improvement pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of \$35,500. with a City's Share of \$13,072. and Owner's Share of \$22,428. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,
- (d) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.
21. (a) That the construction of a concrete curb on the north side of Rennie Street from Waterloo Street to approximately 33.8 m easterly (east limit of 777 Rennie Street) and the construction of a concrete curb and sidewalk on the south side of Rennie Street from approximately 12.2 m east of Waterloo Street to approximately 12.2 m easterly (frontage of 776 Rennie Street) proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of \$8,700. with a City's Share of \$5,446. and an Owner's Share of \$3,254. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- (c) That the Director of Public Works be authorized to construct these works once all the necessary approvals have been received.
22. (a) That the construction of a concrete alley first north of Barton Street East from Tragina Avenue North to Weir Street North (east west portion only) proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of \$30,400. with a City's Share of \$25,175. and an Owner's Share of \$5,225. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received.

23. (a) That an Offer to Purchase (Highway Closure), duly executed by Nadia Medill on 1993 July 21, and scheduled to close within thirty (30) days of completion of the conditions as set out in the agreement, but in any event, no later than 1994 July 12, for the sale of part of the alley between Lots 1, 2, and 7, Registered Plan 271, having a frontage of .939 metres (3.08 feet) more or less, along the northerly limit of Murray Street East, by a depth of 11.125 metres (36.5 feet) more or less, and comprising a total area of 10.591 square metres (114.0 square feet) more or less, and designated as Part 1 on Reference Plan 62R-12253, be approved and completed, and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
24. (a) That approval be given to the Hamilton Street Railway Company to install a 5 ft. x 10 ft. bus shelter located at 775 Upper Wentworth Street at an annual fee of \$1. to be credited to Account No. CH44104 31106 (Rent Oblique fees - City Property).
- (b) That the Mayor and City Clerk be authorized to execute the necessary Licence Agreement in a form satisfactory to the City Solicitor.
- (c) That it is understood and agreed that the Hamilton Street Railway Company will remove the said bus shelter if required by the City, for any purpose, given thirty (30) days written notice without reservation.
25. (a) That Section 46 of the Eighth Report of the Transport and Environment Committee approved 1993 June 29, be rescinded as this recommendation is no longer required for the development of Edan Heights - Phase 3, Hamilton.
- (b) That the estimated City share of works required under the Modified Subdivision Agreement with the Owner of certain lands on Bow Valley Drive, (Vedemo Construction Limited), in conjunction with Severance Application H-76-72, Hamilton, be approved;  
  
City's Share - \$1,410.27   Owners share - \$28,631.64
- (c) That the Finance and Administration Committee recommend the method of financing the City's share.
- (d) That the Mayor and City Clerk be authorized and directed to execute the proposed Modified Subdivision Agreement with the Owner (Vedemo Construction Limited), for the lands under Severance Application H-76-92, Hamilton, as well as any other related documents for this Modified Subdivision Agreement, subject to the approval of the City Solicitor.

26. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of A. Demik, agent for the Hamilton Mountain Provincial Riding Association, to temporarily close Corsica Court at Bonaparte Way, on Thursday, 1993 July 22 from 6:00 o'clock p.m. to 9:00 o'clock p.m. to hold a Street Party, subject to the following conditions:
- (a) That approval from Regional Police Services be received;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.



27. That the application of D. Upsdell, agent for the Westdale Business Improvement Association (991 King Street West, Hamilton), to temporarily close King Street West between North Oval and Cline Avenue, on Saturday, 1993 September 18, from 8:00 o'clock a.m. to 12:00 midnight be approved, subject to the following conditions:
- (a) That approval from Regional Police Services be received;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

28. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of A. Bradford, agent for the Regional Municipality of Hamilton-Wentworth, Economic Development Department (1 James Street South, Hamilton) to temporarily close the following City streets from Friday, 1993 July 23, at 8:00 o'clock a.m. to Monday, 1993 July 26 at 5:00 o'clock p.m.:

Bay Street North from Burlington to Guise  
MacNab Street North from Burlington to Guise  
James Street North from Burlington to Guise  
Hughson Street North from Burlington to Guise  
John Street North from Burlington to Guise  
Catharine Street North from Burlington to Guise  
Mary Street North from Burlington to Guise  
Ferguson Avenue North from Burlington to Guise  
Guise Street from Bay to Ferguson;

for the annual Greater Hamilton Aquafest, provided;

- (a) That approval from the Regional Police Services be received;
- (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
- (d) That all barricading be supplied by and at the expense of the applicant;
- (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;



- (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
29. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of T. Farrar, agent for Cycle Hamilton (244 Jackson Street West, Hamilton) to temporarily close Hess Street from King to Main, George Street from Queen to Ray and Ray Street from George to King on Sunday 1993 August 8, from 1:00 o'clock p.m. to 7:00 o'clock p.m., in order to hold the annual Hess Village Grand Prix Bicycle Race, subject to the following conditions:
- (a) That approval from Regional Police Services be received;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services, and at the expense of the applicant;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

30. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the request of B. Nash (50 Webster Road, Stoney Creek) to close Webster Road on Saturday, 1993 July 10 from 2:00 o'clock p.m. to 10:00 o'clock p.m., in order to control the unauthorized use of private property for parking during a fireworks display at the adjacent Battlefield Park, subject to the following conditions:
- (a) That approval from Regional Police Services be received;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the City of Hamilton and holding the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the closure by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

31. (a) That the applications to retain inadvertent encroachments at the following locations be approved during the pleasure of City Council:

	Location	Type of Encroachment	First Year/ Annual	File Number
i.	127 Strachan Street East	Portion of building measuring 32.30 ft. x 0.33 ft. and chimney measuring .75 ft. x 5.75 ft. onto Mary Street and porch measuring 19.56 ft. x .023 ft. onto Strachan Street	\$111./\$20.	T103-50 (1063)
ii.	204 Burris Street	Steps measuring 1.52 ft. x 4.5 ft. onto Burris Street	\$111./\$20.	T103-50 (1064)

- (b) That approval be subject to the following:

- i. That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- ii. That the Mayor and City Clerk be authorized to execute the City's standard form of agreement.
- iii. That the first year fees and subsequent annual fees as outlined in recommendation (a) i. and ii. be set for the encroachments.



32. That City Council enact the by-law to authorize construction of local improvements of concrete sidewalks and curbs and finished roadway on Forbes Street from approximately 40 m south of Blossom Lane to approximately 57 m southerly.
33. That City Council enact the by-law to authorize construction of local improvements of finished roadway on Acadia Drive approximately 50 m south of Butler Drive to approximately 200 m southerly.
34. That City Council enact the by-law to authorize construction of local improvements of concrete sidewalks on the west side of Upper Wellington Street from Bryna Avenue to the north limits of the East-West Freeway.
35. That a purchase order be issued to Industrial Brake, Hamilton, for the supply and delivery of Automotive Brake Parts for medium and heavy duty vehicles over 15,000 lb. GVW as and when required during 1993 and 1994 by the Public Works Department, being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be funded through Parts Account CH56702 64105.
36.
  - (a) That the appropriate by-law for the closure and sale of a portion of Beckley Street, being designated as Part 2, on Plan 62R-12475, and the alteration of the remainder of Beckley Street being designated as Part 1, on Plan 62R-12475, be forwarded to City Council for enactment.
  - (b) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
37.
  - (a) That the West Central Branch of the Ministry of the Environment and Energy be advised that the City of Hamilton has no objection to Sanexen Environmental Services Inc. carrying out the proposed PCB chemical destruction for Laidlaw at 470 Kenora Avenue North, Hamilton, Ontario;
  - (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the Ministry of the Environment and Energy (MOEE) be waived so that the proposed work referred to in sub-section (a) above, can be carried out as scheduled;
  - (c) That no specific Municipal or Regional permits are required for the proposed work referred to in sub-section (a).

38. (a) That the West Central Branch of the Ministry of the Environment and Energy be advised that the City of Hamilton has no objection to TASSCO carrying out the proposed PCB chemical destruction for J. I. Case at 450 Sherman Avenue North, Hamilton, Ontario;
- (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the Ministry of the Environment and Energy (MOEE) be waived so that the proposed work referred to in sub-section (a) above, can be carried out as scheduled;
- (c) That no specific Municipal or Regional permits are required for the proposed work referred to in sub-section (a).
39. (a) That three-way stop control be implemented at the intersection of Cranbrook Drive and Stanlow Crescent; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
40. (a) That, to establish consistency in meter charges, and to recapture a portion of the Provincial Sales tax recently imposed on all on-street meters, that City Council approve an adjustment in the on-street meters in the Central Business District (Barton to Herkimer and Wellington to Queen) to a single rate of \$.50 per half hour (inclusive of PST and GST) and,
- (b) That City Traffic By-law 89-72 be amended accordingly.
41. That leave be granted to introduce the following Bills:
- (a) **Bill A-62** By-law to authorize the construction of local improvements without petition under Section 12 of the Local Improvement Act of concrete sidewalks and curbs and finished roadway on Forbes Street from approximately 40 m south of Blossom Lane to approximately 57 m southerly



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- (b) **Bill A-63** By-law to authorize the construction of local improvements of a finished roadway on Acadia Drive approximately 50 m south of Butler Drive to approximately 200 m southerly
- (c) **Bill A-64** By-law to authorize the construction of local improvements under Section 12 of the Local Improvement Act of concrete sidewalks on the west side of Upper Wellington Street from Bryna Avenue to the north limit of the East-West Freeway
- (d) **Bill A-65** By-law to stop-up, close and sell a portion, and to alter the remainder of Beckley Street from John Street to James Street
- (e) **Bill A-66** By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (f) **Bill A-67** By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (g) **Bill A-68** By-law to amend Traffic By-law 89-72 to Regulate Traffic

Respectfully Submitted,

Kevin C. Christenson  
Secretary

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

1993 August 23







## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **FIFTEENTH** Report for 1993 and respectfully recommends:

1. (a) That an Offer to Purchase (Easement) Agreement, executed by Regional Officials on 1993 August 5, and scheduled to close on or before 1993 October 5, for the purchase by the Regional Municipality of Hamilton-Wentworth of a Sanitary Sewer Easement over the lands composed of part of Burlington Beach, lying in front of Lot 34, Broken Front Concession, formerly in the Geographic Township of Saltfleet, now in the City of Hamilton, located at the rear of 283, 285½ and 289½ Beach Boulevard, shown as Part 1 on Plan RA-H-581 Surveys, containing 456 square metres (0.112 acres) more or less, be approved and completed, and the funds derived from this sale of \$1,500. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases). Subject parcel forms part of the property known as 5 Beach Boulevard.
- (b) That an Authority to Enter Agreement, executed by officials of the Regional Municipality of Hamilton-Wentworth, authorizing the Region to enter City lands for the construction of a Sanitary Sewer through Part 1 on Plan RA-H-581 Surveys, effective the day following City Council approval, be approved.
- (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
2. (a) That an Offer to Purchase, executed by Ivana Spadafora on 1993 July 23, and scheduled for closing on or before 1993 October 15, for a portion of City-owned property, more particularly described as Part 2 on Plan 62R-10441, located to the rear of 11 Derek Drive, having a depth of 3.192 metres (10.47 feet) more or less, and a width of 29.11 metres (95.5 feet) more or less, containing an area of 92.9 square metres (1,000.2 square feet) more or less, be approved and completed and the funds derived from this sale of \$2,500. be credited to Account No. CH4X501 00201 (Reserve for Parklands).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.



3. (a) That an Offer to Purchase, executed by Carmen P. Frosina and Carolyn J. Frosina on 1993 July 27, and scheduled for closing on 1993 October 15, for a portion of City-owned property, more particularly described as Part 3 on Plan 62R-10441, located to the rear of 15 Derek Drive, having a depth of 3.336 metres (10.94 feet) more or less, and a width of 16.418 metres (53.86 feet) more or less, containing an area of 54.77 square metres (589.56 square feet) more or less, be approved and completed and the funds derived from this sale of \$1,400. be credited to Account No. CH4X501 00201 (Reserve for Parklands).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
4. (a) That an Offer to Purchase, executed by Marcella Sabatini on 1993 July 14, and scheduled for closing on or before 1993 October 15, for a portion of City-owned property, more particularly described as Part 4 on Plan 62R-10441, abutting the easterly boundary of 10 Chert Avenue, having a width of 3.336 metres (10.94 feet) more or less, and a depth of 33.51 metres (109.94 feet) more or less, containing an area of 108.12 square metres (1,163.8 square feet) more or less, be approved and completed and the funds derived from this sale of \$3,000. be credited to Account No. CH4X501 00201 (Reserve for Parklands).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
5. That the following artifacts be deaccessioned from the Hamilton Military Museum collection and transferred to Theatre Aquarius for use as theatrical costumes:

Battledress	1984.234.2a-b
	1986.319.3-4
	1989.401.4
	1989.404.3
Tunics/Jackets	1985.272.1-3
	1985.272.11-14
	1986.334.7
	1986.334.111 and breeches
	1988.379.6-7
	1989.401-8-9
	1989.412.8
	1989.424.7-8
Mess Dress	1988.383.4-5
	1990.431.12-13

Berets	1980.2.2
	1984.220.22
	1984.234.6
	1985.272.25
	1986.304.3
	1989.424.18
	19920025-016
Field Service Caps	1981.92.29
	1984.234.9-10
	1988.384.10
Forage caps	1977.176.2
	1977.184.1-2
	1984.220.20
	1985.272.15, 23
	1986.334.12
	1986.336.13
	1989.404.19
Civilian breeches	1983.211.51-52
Greatcoats	1986.319.5
	1989.404.6

6. That funds in the approximate amount of \$7,500. be utilized from the Hamilton Children's Museum Trust Account (Account No. CH5X999 00403) to purchase a computer, printer and required software for the Hamilton Children's Museum.
7.
  - (a) That the West Mountain Baseball Association be authorized to construct a 1,200 square foot, 2 storey field house/public washroom building, at their cost, in Olympic Park.
  - (b) That the Director of Property and City Solicitor be authorized to prepare any joint use agreements, lease agreements, performance contracts or other legal agreements as may be required to facilitate the construction of the building and its joint use by the citizens of Hamilton and the West Mountain Baseball Association.
  - (c) That the City of Hamilton provide the necessary site services for the building.
  - (d) That the West Mountain Baseball Association be exempt from payment of any building permit fees pursuant to Building Permit By-law No. 93-167.
  - (e) That staff be authorized to consult with the Ministry of Municipal Affairs regarding the eligibility of this project for funding under the Jobs Ontario Program.

8.
  - (a) That the City of Hamilton Parks Division provide routine maintenance services for the Escarpment Rail Trail from Limeridge Road to Wentworth Street including litter control, maintenance of park signage, seating areas, grass cutting and periodic tree trimming.
  - (b) That the estimated annual maintenance cost of \$8,000. be considered during the 1994 budget process as an addition to the base of Account No. CH51401 62102 (General Park Maintenance).
  - (c) That Hamilton-Wentworth Regional Council be requested to consider an extension of the north-south leg of the "Escarpment Rail Trail Project", southerly from Limeridge Road to Stone Church Road and Dartnall Road as well as a connection to the Hydro Corridor and the westerly component of the bike trail.
9. That the original contract entered into with Demik Construction Limited for the construction of Sackville Hill Seniors' Recreation Centre in the amount of \$2,920,000., originally approved by City Council on 1991 September 24 in adopting Section 1 of the Eighteenth Report of the Parks and Recreation Committee be increased by \$6,651.
10.
  - (a) That the Mayor and City Clerk be authorized to execute a Site Plan Agreement with the Corporation of the Township of Glanbrook in a form satisfactory to the City Solicitor for the City-owned land situated in the Township of Glanbrook part of Lot 8, Concession 1 formerly the Township of Glanford, to permit the development of part of the former Turner farm as a baseball park.
  - (b) That the Mayor and City Clerk be authorized to execute a Licence Agreement with Ontario Hydro in a form satisfactory to the City Solicitor for the lands situated in the Township of Glanbrook, part of Lot 8, Concession 1, formerly the Township of Glanford for the purpose of access and recreational use across the Ontario Hydro lands which bi-sect Turner Park for a twenty (20) year term with a rental fee of \$1. to be charged to Account No. CH56398 62910 (DEV014).



11.
  - (a) That approval be given to increase the contract of the Consultant Architect, Svedas, Koyanagi Architects Inc. by \$19,246.22 to \$426,024.22 plus 7% GST of \$29,821.70 which pays for additional services related to the construction contract cost, and other changes, to be financed from funds within the project.
  - (b) That approval be given to leave the unexpended balance of \$24,634.76 in the feasibility phase Account No. 709041010 to be held until the Twin Pad project is complete.
  - (c) That a contract amendment satisfactory to the City Solicitor be executed between the City of Hamilton and the Prime Consultant, Svedas Koyanagi Architects Inc.
12.
  - (a) That the existing contract awarded to Philip Enterprises Inc. of Hamilton in May 1992, in the amount of \$4,310,865.69 for the removal and disposal of hazardous soils from Harbourfront Park, including rough grading, placement of the impervious clay cover and topsoil on the site be extended by the amount of \$67,000. including taxes for additional rough grading, placement of impervious clay cover and topsoil and be funded from the Harbourfront Park Remediation - Stage II Account No. CF5200 419254003 for Harbourfront Park.
  - (b) That the existing contract awarded to Blue-Con Inc. of London, Ontario in November 1992 in the amount of \$1,384,178.75 for the construction of Shoreline protection works at Harbourfront Park be extended by the amount of \$71,000. including taxes for the installation of additional armourstone and be funded from the Harbourfront Park Remediation - Stage II Account No. CF5200 419254003 (\$32,000.) for Harbourfront Park, and the North End Anti-Recession Program Account No. CF5200 429202004 (\$39,000.).
  - (c) That the existing contract awarded to Harm Schilthuis and Sons Ltd. of Ancaster, Ontario in April 1993 in the amount of \$737,892. for the supply and installation of a pier structure, pavilion and floating dock at Pier-4 Park be extended by the amount of \$61,000. including taxes for additional length of piles, supply of hydro and lighting to the pier and be funded from the Harbourfront Park Remediation - Stage II Account No. CF5200 419254003.
  - (d) That the existing contract awarded to Harm Schilthuis and Sons Ltd. of Ancaster, Ontario in June 1993 in the amount of \$261,041.41 for the construction of the tugboat play area and spray pad at Pier-4 Park be extended by the amount of \$104,000. including taxes for hydro service, lighting, sidewalk, curbs and railings and be funded from the North End Anti-Recession Program, Account No. CF5200 42902004.
  - (e) That the City Solicitor be requested to prepare amendments to the legal agreements with the three contractors to incorporate these extensions to the scope of work.

13. That an initial fee of \$50. be charged for each parking permit issued to residents of 136 - 144 Cannon Street to cover the cost of manufacturing, erecting and maintaining the required signs for the reserved parking spaces within Beasley Park.
14. (a) That the Mayor and City Clerk be authorized to sign a License Agreement with Scott- MacDonald Ltd. in a form satisfactory to the City Solicitor for the non-exclusive right to sell food and non alcoholic drink at Pier-4 Park from a moveable stand or cart.  
(b) That Scott MacDonald Ltd. pay the standard vendor's licence fee, pro rated for a one month period ending 1993 September 30.
15. (a) That a purchase order be issued to Frank Bufalino & Sons Construction Ltd. in the amount of \$418,500. to complete the construction of a new Club House for the Hamilton Tennis Club at 247 Duke Street, H.A.A.A. Grounds and that a contract be entered into satisfactory to the City Solicitor.  
(b) That the City enforce its rights under the Bond through court action against the Guarantee Company of North America, to recover the additional funds required to complete the project up to a maximum of \$188,000.  
(c) That the Finance and Administration Committee be requested to recommend the method of financing for this additional amount of \$111,000.

**Respectfully Submitted,**

**Kevin C. Christenson**  
Secretary

**ALDERMAN T. JACKSON, CHAIRPERSON**  
**PARKS AND RECREATION COMMITTEE**

**1993 August 24**







1993 August 31

## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRTEENTH** Report for 1993 and respectfully recommends:

1. That approval be given to amended Zoning Application ZAC-93-14, 800064 Ontario Inc. (A. DiSilvestro, owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District, to permit future small lot single-family detached dwellings for property located in the area west of Garth Street and south of Claudette Gate, as shown on the attached map marked as Appendix "A", on the following basis:
  - (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District;
  - (b) That the City Solicitor be directed to prepare a By-law to amend By-law No. 6593 and Zoning District Map W-27D for presentation to City Council; and,
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
2.
  - (a) That the attached Appendix "B" outlining B.I.A. priority projects for implementation under the Commercial Improvement Program be approved at an estimated cost of \$113,600.
  - (b) That the remaining funds totalling \$344,400. be deferred pending the outcome of the Capital Budget deliberations resulting from the anticipated reduction in Provincial transfer payments.
3. That the Statement of Interest, attached hereto as Appendix "C", for the CN Station Citizens Advisory Committee be approved.

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4. (a) That the City enter into a Site Plan Agreement with the owner of Mirdem Nursing Home Ltd. for a property at 176 Victoria Street.
- (b) That the following additional provisions be inserted into the City's standard Site Plan Agreement to ensure that the current building on the property is demolished once the proposed new building has been completed.
  - i. The owner agrees to demolish the existing building, as described by the Committee of Adjustment in its July 7, 1993 decision, when the new three storey nursing home building referred to in the same decision has been completed;
  - ii. \$35,000. in security is to be provided to the City by the owner as security in the form of cash or an irrevocable Letter of Credit;
  - iii. A Building Permit will not be issued until the security has been provided to the City;
  - iv. The security will be placed in a non-interest bearing account and held until the existing building as described by the Committee of Adjustment in its July 7, 1993 Decision has been demolished;
  - v. The owner is to obtain postponements in favour of the City's Site Plan Agreement from those with previous registered financial interests in the property;
  - vi. The owner is to agree that if the existing building as described by the Committee of Adjustment in its July 7, 1993 Decision is not vacated and demolished within six (6) months of the completion date of the proposed new three storey nursing home, that the City is authorized to retain and use the security to obtain compliance with the agreement and where the security is not sufficient to effect compliance, to add any shortfall to the property's tax assessment roll to be recovered as taxes;
  - vii. The solicitor to the owner is to provide the City with a Certificate indicating the priority of the City's registered Site Plan Agreement to the satisfaction of the City Solicitor;

- viii. The final details of the Site Plan Agreement as prepared by the owner's solicitor be reviewed and approved to the satisfaction of the City Solicitor; and
  - ix. The Site Plan Agreement is to be registered on the lands at the expense of the owner.
- 5. That the appropriate staff be authorized to appear at an Ontario Municipal Board Hearing regarding an appeal to Committee of Adjustment decision A-92-253, 1340 Main Street East.
  - 6. (a) That the following prizes be awarded to Mohawk College broadcasting students for their submissions in the Phase IV Downtown Action Plan, Public Service Announcement (P.S.A.) competition. All of the P.S.A.'s contain messages about keeping Hamilton clean.
    - First Prize: Craig Hogg, production of "Family"
    - Second Prize: Sharon Bacon, production of "Out-of-Site"
    - Third Prize: Sandi Krempa, production of "Time"
  - (b) That funds be provided from Phase IV of the Downtown Action Plan for the first prize at \$700., second prize at \$500. and third prize at \$200. and a donation to Mohawk College Media Studies Department of \$1,000. for development of the videos and use of equipment.
  - 7. That City Council enact a By-law to amend By-law 77-244 respecting the requirement for fences and pool enclosures for private swimming pools to remove the requirement for a building permit.
  - 8. That the Building Department be authorized and directed to hold public meetings and establish and chair a Committee to draft a hoarding and fencing by-law, for fencing and hoarding around construction sites, as permitted in The Ontario Building Code Act, R.S.O. 1992, Chapter 23.
  - 9. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, five hundred and fifty two (\$1,552.) be approved for Evelyn Wood, 417 Fairfield Avenue North, Hamilton. The interest rate will be 8 percent amortized over 10 years.



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10. That a Commercial Loan in the amount of twenty five thousand dollars (\$25,000.) be approved for John Mouskos. The interest will be 2 7/8 percent amortized over 10 years.
11. That a Commercial Loan in the Amount of thirteen thousand, seven hundred and twelve (\$13,712.) be approved for Baba Tooma. The interest rate will be 2 7/8 percent amortized over 10 years.
12. That a Commercial Loan in the amount of six thousand and five hundred dollars (\$6,500.) be approved for Joseph Patrick Finochio. The interest rate will be 2 7/8 percent amortized over 10 years.
13.
  - (a) That the Building Department, Loans Division, was directed to apply on behalf of the owner to the Province of Ontario for a Designated Property Grant in the amount of four thousand and thirty-eight dollars (\$4,038.) for Jeffrey Steadman, 124 MacNab Street South, Hamilton.
  - (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Jeffrey Steadman, owner of 124 MacNab Street North, in the amount of four thousand, one hundred and thirty-seven dollars (\$4,137.) at 2 7/8 percent interest amortized over a ten year period.
14.
  - (a) That the Building Department, Loans Division, was directed to apply on behalf of the owner to the Province of Ontario for a Designated Property Grant in the amount of four thousand, eight hundred and thirty seven-dollars (\$4,837.) for Jeffrey Steadman, 126 MacNab Street South, Hamilton.
  - (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Jeffrey Steadman, owner of 126 MacNab Street North, in the amount of four thousand, nine hundred and thirty-seven dollars (\$4,937.) at 2 7/8 per cent interest amortized over a ten year period.
15.
  - (a) That the Building Department, Loans Division, be directed to apply on behalf of the owners to the Province of Ontario for a Designated Property Grant in the amount of three thousand dollars (\$3,000.) for Jane and Paul Rigby, 260 MacNab Street North, Hamilton.

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- (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Jane and Paul Rigby, owners of 260 MacNab Street North, in the amount of four thousand and three hundred dollars (\$4,300.) at 2 7/8 percent interest amortized over a ten year period.
- 16.
  - (a) That the Building Department, Loans Division, was directed to apply on behalf of the owners to the Province of Ontario for a Designated Property Grant in the amount of two thousand, eight hundred and fifty-seven dollars (\$2,857.) for Hazell Ross-Iampietro and Gerald Iampietro, 185 Delaware Avenue.
  - (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Hazell Ross-Iampietro and Gerald Iampietro, owner of 185 Delaware Avenue, in the amount of three thousand and fifty-seven dollars (\$3,057.) at 2 7/8 percent interest amortized over a ten year period.
- 17. That a Designated Grant in the amount of three thousand dollars (\$3,000.) be provided to the Hamilton Hebrew Academy, 235 Bowman Street, Hamilton.
- 18.
  - (a) That the Building Department, Loans Division, be directed to apply on behalf of the owners to the Province of Ontario for a Designated Property Grant in the amount of two thousand, three hundred and thirteen (\$2,313.) for Heinz Ollesch, owner of 172-176 Locke Street South, Hamilton.
  - (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Heinz Ollesch, 172-176 Locke Street South, in the amount of two thousand, five hundred and fourteen dollars (\$2,514.) at 2 7/8 percent interest amortized over a ten year period.
- 19.
  - (a) That the Building Department, Loans Division, be directed to apply on behalf of the owners to the Province of Ontario for a Designated Property Grant in the amount of two thousand, nine hundred and twenty-nine dollars (\$2,929.) for Keltie Lynn Law, owner of 112 Aberdeen Avenue.

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- (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Keltie Lynn Law, 112 Aberdeen Avenue, in the amount of three thousand, one hundred and twenty-nine dollars (\$3,129.) at 2 7/8 percent interest amortized over a ten year period.
- 20. That a Designated Grant in the amount of six hundred and forty-nine dollars (\$649.) be provided to Jane and Paul Rigby, 74 George Street, Hamilton.
- 21. That the Building Commissioner be authorized to issued demolition permits for the following:
  - (a) 1121 Upper James Street
  - (b) 1128 Upper James Street
  - (c) 1134 Upper James Street
  - (d) 1142 Upper James Street
  - (e) 1150 Upper James Street
  - (f) 1160 Upper James Street
  - (g) 1075-1079 Upper James & 7 Limeridge Road East
  - (h) 50 Limeridge Road East
  - (i) 571 Burlington Street East
  - (j) 605 Mohawk Road West
  - (k) 28 Dodson Street
- 22. (a) That the request of Anthony G. DiCenzo, Solicitor for DiCenzo Construction Company Limited, to remove part-lot control from Lots 1-22, inclusive, "Sandrina Gardens, Phase 1", Plan of Subdivision, 62M-733, be approved;



- (b) That the appropriate by-law to remove part-lot control from Lots 1-22, inclusive, "Sandrina Gardens, Phase 1" Plan of Subdivision, be enacted by Council;
  - (c) That following enactment of this by-law, that the Regional Municipality of Hamilton-Wentworth (as delegates of the Minister of Municipal Affairs), be requested to grant approval to the by-law and endorse the same on the by-law; and
  - (d) That following completion of the conveyances being permitted by the said by-law to remove part-lot control, a by-law be enacted to repeal the said by-law.
23. (a) That the resolution from the Town of Lindsay, attached hereto and marked as Appendix "D", be endorsed; and
- (b) That the Minister of the Environment and Energy and the Town of Lindsay be advised of Council's endorsement.
24. (a) That Council endorse the efforts of the Association of Conservation Authorities of Ontario to develop a more simplified resource management system;
- (b) That the Provincial Government undertake a comprehensive review of resource management issues together with all affected municipalities and the Association of Conservation Authorities of Ontario;
- (c) That a review of resource management issues in Ontario also include:
- i. an examination of the funding requirements of restructured Conservation Authorities; and
  - ii. direct consultation and negotiation with affected municipalities on possible changes to land use planning measures and approvals related to the mandate of restructured Conservation Authorities.
- (d) That the Hamilton Region Conservation Authority, all local Members of Provincial Parliament, and the Ministers of Natural Resources, Environment and Energy, Agriculture and Food, and Municipal Affairs be advised of this resolution.

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25. That leave be granted to introduce the following Bills:

- (a) C-63 By-law to Amend Zoning By-law No. 6593 respecting land located at the rear of Municipal No. 1011 Queenston Road (North of Berkindale Drive)
- (b) C-65 By-law to Amend Zoning By-law 6593 respecting land located at the rear of Municipal No. 1011 Queenston Road (South of Berkindale Drive)
- (c) C-66 By-law to establish Site Plan Control respecting land located at the rear of Municipal No. 1011 Queenston Road (South of Berkindale Drive)
- (d) C-67 By-law to authorize the entering into of a Heritage Easement Agreement respecting Whitehern
- (e) C-68 By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 92-075 respecting land located at Municipal No. 1314 Upper Wentworth Street
- (f) C-69 By-law to remove land within the Sandrina Gardens, Phase 1 Subdivision, Plan 62M-733 from Part Lot Control
- (g) C-70 By-law to Amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 236-250 Rymal Road West
- (h) C-71 By-law to authorize the New Commercial Loan Program
- (i) C-72 By-law to Amend By-law 77-244 respecting Fences and Gates around Private Outdoor Swimming Pools.

**RESPECTFULLY SUBMITTED,**

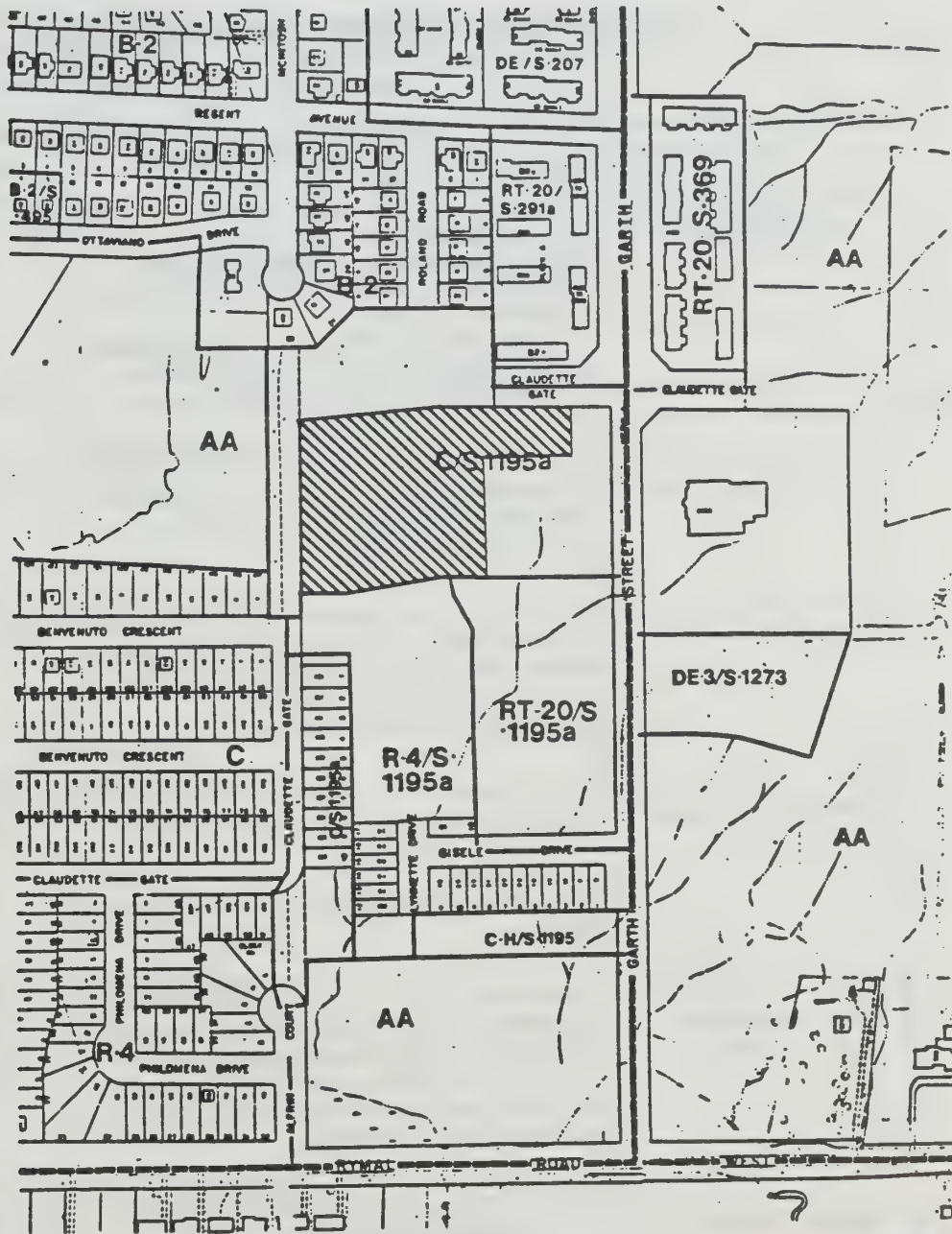
**ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT COMMITTEE**

Tina Agnello, Secretary  
1993 August 25



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Appendix "A" as referred to  
in Section 1 of the THIRTEENTH  
Report of the Planning and  
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**Legend**

Proposed Changes in Zoning From:



"C" (Urban Protected Residential, etc.) District to  
"R-4" (Small Lot Single-Family Detached) District.



1993 August 31

Appendix "B" as referred to  
in Section 2 of the THIRTEENTH  
Report of the Planning and  
Development Committee for  
1993

**COMMERCIAL IMPROVEMENT PROGRAM REQUESTS**

**1993**

<b>B.I.A.</b>	<b>Proposed Improvements</b>	<b>Estimated Cost</b>
<b>International Village B.I.A.</b>	1) Bicycle Racks	\$ 3,000.
	2) Provision of and installation of ten (10) historical plaques on Heritage Buildings within International Village.	\$ 6,000.
	3) Increased luminaire lighting in north alleyway between Mary Street and Wellington Street to improve safety and reduce vandalism.	\$ 3,000.
	<b>ESTIMATED COST</b>	<b>\$12,000.</b>
<b>Ottawa Street B.I.A.</b>	1) Installation of concrete crosswalk at Campbell and Ottawa Streets during reconstruction of Ottawa Street in 1994.	\$25,000.
	<b>ESTIMATED COST</b>	<b>\$25,000.</b>
<b>Barton Street B.I.A.</b>	1) Due to this B.I.A.'s depleted condition along with its 50% vacancy rate, they have asked that an amount be set aside for revitalization improvements along Barton Street.	\$52,000.
	<b>ESTIMATED COST</b>	<b>\$52,000.</b>
<b>Downtown Promenade B.I.A.</b>	1) Improvements to Alleyway lighting within the boundaries of the B.I.A.	\$ 2,000.
	2) Wall Mural.	\$ 5,000.
	3) Supply and installation of twenty (20) bench dividers.	\$ 4,500.
	<b>ESTIMATED COST</b>	<b>\$11,500.</b>
<b>Concession Street B.I.A.</b>	1) Alleyway lighting on south side of Concession Street between East 21st and East 24th Streets.	\$ 4,000.
	2) Installation of thirty-seven (37) pole mounted photocells along wood hydro poles which will significantly reduce Hydro costs.	\$ 3,700.
	<b>ESTIMATED COST</b>	<b>\$ 7,700.</b>
<b>Westdale Village B.I.A.</b>	1) The purchase and installation of two (2) benches in front of the Library.	\$ 1,400.
	<b>ESTIMATED COST</b>	<b>\$ 1,400.</b>

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<b>Main Street West Esplanade B.I.A.</b>	1) The purchase and installation of six (6) litter container lids.	\$ 1,000.
	2) The B.I.A. has requested greenery on Main Street West but due to restricted sidewalk width the only possible locations could be on the school property that fronts onto Main Street West. This will be pursued with the Public School Board.	\$ 3,000.
	<b>ESTIMATED COST</b>	<b>\$ 4,000.</b>
	<b>TOTAL ESTIMATED COST</b>	<b>\$113,600.</b>

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Appendix "C" as referred to  
in Section 3 of the THIRTEENTH  
Report of the Planning and  
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1993

CN STATION CITIZENS ADVISORY COMMITTEE

STATEMENT OF INTEREST

I. Statement of Interest

a) Geographical Area

The area of interest constitutes primarily the CN Station and its surrounding property: bounded by James St. N., Murray St., Hughson St. N., and the CN tracks, as well as the CN parking lot to the west (situated between James North and MacNab North) and the railway platforms on the lower level. (See attached Map)

b) Heritage Character

The area of interest focuses on the heritage character of the CN Station and surrounding property, which is derived from the following heritage attributes: architectural, historical, landscape and contextual merits.

The heritage significance of the CN Station has been duly recognized by all levels of government:

Federal: Designated under the Heritage Railway Stations Protection Act (sale, alteration, or demolition regulated)  
The geographical area is defined as follows: "The station precinct consists of a grassy front plaza, the T-plan station building and suspended concourse, and a large track yard with ancillary buildings at lower level."

Provincial: Evaluated as "Heritage Class: A; Architecturally significant and unique to the province", Study by the Ontario Heritage Foundation and the Ministry of Citizenship and Culture in cooperation with Canadian National Railways and VIA Rail (no regulations apply)

Municipal: Listed as a Landmark Building and on the Inventory of Buildings of Architectural and Historical Interest (no regulations apply). Designation at the municipal level under the Ontario Heritage Act is now under consideration.



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II. Statement of Intent

It is the intent of the committee to encourage and facilitate

- (a) the conservation, restoration, and appropriate re-use of the CN Station; and
- (b) the preservation of the open space to the south of the CN Station, to include the area bounded by James St. North, Murray St and Hughson St. North.

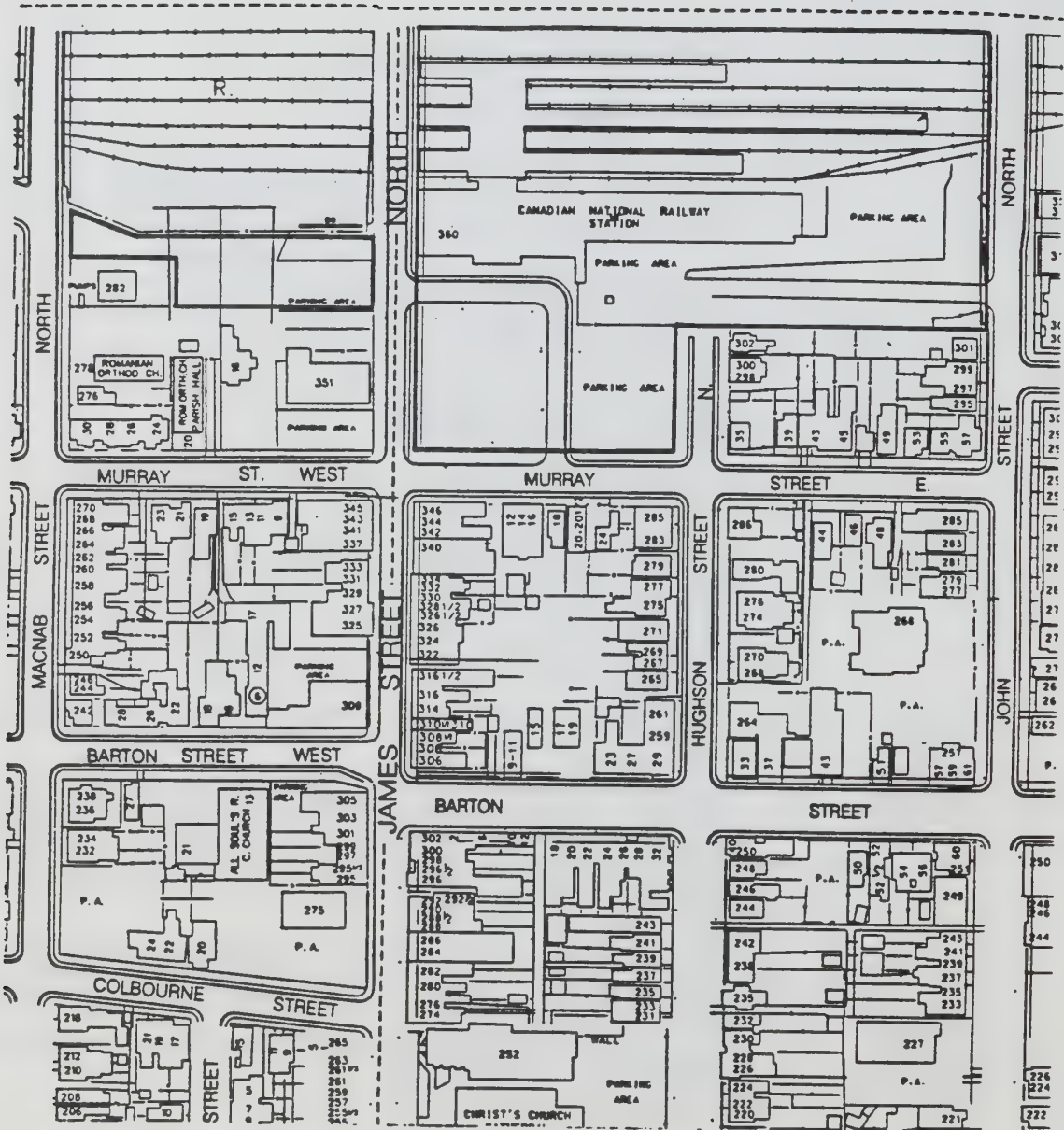
III. Guidelines for Implementation

In the process of achieving the "Statement of Intent", the following guidelines should be taken into consideration:

- (a) to identify, encourage and facilitate appropriate uses for the CN Station and lands in cooperation with the CNR;
- (b) to pursue, in particular, those types of uses appropriate to the national and provincial landmark status of the station;
- (c) to ensure that any use of the site will be sensitive to and compatible with the adjacent neighbourhoods;
- (d) to communicate with residents, property owners and advisory committees (such as LACAC, CAPIC, Urban Design, Central/Beasley Neighbourhood Plan Review Team, and Central/Beasley PRIDE HINT), as well as neighbourhood and business associations, who may be interested in the station's future use;
- (e) with respect to the CN site and its surroundings, to encourage appropriate land use designations and zoning modifications in the Beasley Neighbourhood Plan Review;
- (f) to report to the Planning and Development Committee, when warranted.



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CN Station Citizens  
Advisory Committee  
"Area of Interest"

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Appendix "D" as referred to  
in Section 23 of the **THIRTEENTH**  
Report of the Planning and  
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**"Whereas the Ministry of the Environment has recently distributed a land use planning interim guideline entitled "Guideline on Separation Distance Between Industrial Facilities and Sensitive Land Uses"; and**

**Whereas this guideline is badly flawed and needs to be reconsidered for the following reasons:**

- (i) the guideline advocates unreasonable distances between industrial and sensitive land uses;
- (ii) the Ministry has failed to provide adequate justification for these separation distances;
- (iii) the guideline was developed without consultation with municipalities in Ontario;
- (iv) the guideline unreasonably slants the planning process in one direction to the detriment of other, perhaps more important, planning considerations;
- (v) the guideline treats parks a sensitive land use and prevents parks from being used as a buffer between industrial and residential land use.

**NOW THEREFORE BE IT RESOLVED THAT** the Ministry of the Environment be requested to reconsider its separation distance guideline, to engage in real consultation with stakeholders including the Association of Municipalities of Ontario during the process of reconsidering the guideline and to not implement the guideline until such time as it has been reconsidered."

**Resolution adopted by the Town of Lindsay, February 8, 1993**









1993 August 31

**REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **SECOND** Report for 1993 and respectfully recommends:

1. That the Federal Minister of Justice seek a minimum sentence for all crimes where hatred of a person on the basis of their race, religion, nationality, ethnic origin, and sexual orientation and gender is the motivating factor in the commission of the criminal act; and in cases of hate bias crime, i.e. where hate is a motivating factor, collection of victim impact statements should be sought as a national policy and, with the agreement of the victim, be read into the court record;
2. That the Attorney General of Ontario take the necessary action to ensure that the education of the judiciary and officers of the court on hate motivated crime be conducted in the same manner as sexual assault/harassment/abuse have been for the women 's community;
3. That the Attorney General of Ontario mandate crown attorneys to identify to the courts all cases where hate is considered a motivating factor in a criminal act;
4. That the Federal and Provincial Solicitor Generals establish a combined task force operating under central direction, operating with specially trained personnel that will share information nationally and internationally and pursue a highly aggressive enforcement policy against all forms of hate crimes;
5. That the Federal Minister of Justice and Solicitor General convene a series of conferences for the purpose of developing national standards to investigate, successfully prosecute, and prevent and curtail white supremacist neo-Nazi hate group activities.
6. That the Ontario Minister of Citizenship amend the Human Rights Code to protect against racist, derogatory hate signs and symbols.

**RESPECTFULLY SUBMITTED,**

**Robert M. Morrow**  
Mayor









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## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTEENTH** Report for 1993 and respectfully recommends:

1. That notwithstanding the City's policy of not permitting billboards on the forecourt of City Hall until the City Hall Grounds Study has been completed, that permission be given for a ticket sale gauge for the Tiger-Cat Labour Day Game to be erected.
2.
  - (a) That the City of Hamilton resolve Ontario Court General Division Action No. 23590/90 by the payment to the Plaintiffs, Mary and Frank Carpanini of the sum of \$2,000. inclusive of all claims for damages, interest and costs; and,
  - (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
  - (c) That Ontario Court General Division Action No. 23590/90 be dismissed without costs.
3. That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 16926/89 on the following terms:
  - (a) That the City pay to the Plaintiffs, Crystal and Greg Rayner, the sum of \$13,123. inclusive of all damages, interest, disbursements and costs; and,
  - (b) That the Plaintiffs, Crystal and Greg Rayner, be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
  - (c) That Ontario Court (General Division) Action No. 16926/89 be dismissed without costs.

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4.
  - (a) That the City of Hamilton offer to settle Ontario Court General Division Action No. 7324/89 by the payment to the Plaintiffs, Sharon, Richard, Gregory, Bradley and Trevor Guyatt of the amount of \$242,149.62 inclusive of all claims for damages, interest and costs; and,
  - (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
  - (c) That Ontario Court General Division Action No. 7324/89 be dismissed without costs; and,
  - (d) That the City Solicitor be authorized and directed to pursue a claim against Royal Insurance Company for contribution of \$142,149.62 pursuant to the terms of the City's policy of automobile insurance with the Royal Insurance Company. Further, that the City Solicitor be authorized to take all steps necessary to pursue this claim including the institution of Court action against the Royal Insurance Company.
5. That the following course of action be implemented to lessen the impact of the Ontario Government's Social Contract on the Emergency Service and Support Operations of the Hamilton Fire Department:
  - (a) That payment for five of the remaining twelve 1993 statutory holidays, be eliminated for Fire Suppression (429 personnel) and Communications Division (10 personnel). Other venues/opportunities as may accrue from now until the end of 1993 may be utilized to make up an extra day for the total of six required days off without pay. (These personnel who work an average 12 hour shift, receive lieu days for each statutory or proclaimed holiday and those remaining until the end of the year are Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and Boxing Day); and,
  - (b) That the remaining 31 members of the Fire Prevention, Training, Mechanical and Administration Division, who work a normal 8 hour shift, be required to take 8 scheduled days off without pay, since they are not required to work on the statutory or proclaimed holidays for which they are paid.
6. That as referred to in Section 25 of the Eleventh Report for 1993 of the Transport and Environment Committee, the City's share of services under the Modified Subdivision Agreement with the owner of certain lands on Bow Valley Drive at a cost of \$1,410.27, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".



7. That as referred to in Section 20 of the Eleventh Report for 1993 of the Transport and Environment Committee, the City Solicitor prepare an appropriate By-Law to construct an independent concrete sidewalk on the east side of Upper Ottawa Street from Stone Church Road to approximately 275m Northerly (PW93.1038) under the Local Improvement Act at an estimated gross cost of \$35,500., with the City's share of \$13,072. to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$22,428. being the Owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$22,428. for a term not to exceed 20 years for the above project.
8. That as referred to in Section 21 of the Eleventh Report for 1993 of the Transport and Environment Committee, the City Solicitor prepare an appropriate By-Law to construct a concrete curb on the North side of Rennie Street from Waterloo Street to approximately 33.8m Easterly (East Limit of 777 Rennie) and the construction of a concrete curb and sidewalk on the South Side of Rennie Street from approximately 12.2m East of Waterloo Street to approximately 12.2m Easterly (frontage of 776 Rennie) (PW 93.1038) under the Local Improvement Act at an estimated gross cost of \$8,700., with the City's share of \$5,446. to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$3,254. being the Owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$3,254. for a term not to exceed 20 years for the above project.
9. That as referred to in Section 22 of the Eleventh Report for 1993 of the Transport and Environment Committee, the City Solicitor prepare an appropriate By-Law to construct an alley first north of Barton Street East from Tragina Avenue North to Weir Street North (east-west portion only) (PW93.1038) under the Local Improvement Act at an estimated gross cost of \$30,400., with the City's share of \$25,175. to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$5,225. being the Owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$5,225. for a term not to exceed 20 years for the above project.
10. That City Council's approval in 1990 March with respect to the financing of the estimated \$429,000. cost of the "Escarpment Stabilization Project", wherein part of the financing was to be shared between Committees as noted in Section 1.(b) (B) of the Sixth Report for 1990 of the Parks and Recreation Committee which reads:



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"the City Treasurer be authorized to collect funds on approval of the cost sharing arrangements between the Parks and Recreation Committee (City), Transport and Environment Committee (City) and the Engineering Services Committee (Region) in equal shares of \$143,000. as estimated.",

be amended to delete the reference to the City Committees sharing costs, in that the entire amount was already funded in 1990 from the Reserve for Capital Projects, and the sharing of costs between City Committees would serve no useful purpose. The Region's share of one-third of the cost has been determined and billed.

11. That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to reallocate the excess debenture proceeds in the total amount of \$817,514.97 as follows:

(a) Transfer from:

	<u>Description</u>	<u>O.M.B. No. &amp; Date</u>	<u>City By-Law No. &amp; Date</u>	<u>Excess Debenture Proceeds</u>
(i)	Chedoke Golf Course Parking Lot	E890865 27-Jul-89	89-252 26-Sep-89	\$143,600.00
(ii)	Pump Truck - Fire Station at Limeridge & Upper Ottawa	E860628 19-Nov-86	87-001 13-Jan-87	1,139.69
(iii)	Fire Station - Limeridge & Upper Ottawa	E81695 15-Feb-88	88-090 12-Apr-88	9,972.98
(iv)	Land Acquisition - Arena Parking	E840142 11-Apr-84	85-052 26-Mar-85	269,217.19
(v)	Scott Park Arena - Replace Surface	E860611 30-Jul-86	86-241 26-Aug-86	206,925.27
(vi)	Downtown Action Plan - Phase 2	E840584 19-Dec-85	86-075 11-Feb-86	1,617.94
(vii)	P.R.I.D.E. - Crown Point West/Stipley	E871261 7-Dec-87	88-023 26-Jan-88	13,316.89
(viii)	Road Access - Bow Valley to Queenston	E860858 16-Mar-89	89-145 9-May-89	107,124.22
(ix)	Roads/Curbs/Walks - Greenhill Avenue	E881255 5-Oct-88	88-273 28-Nov-88	<u>64,600.79</u>
				<u>\$817,514.97</u>

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(b) Transfer to:

<u>Description</u>	<u>O.M.B. No. &amp; Date</u>	<u>City By-Law No. &amp; Date</u>	<u>Excess Debenture Proceeds</u>
(i) Major Maintenance to Civic Buildings (1992)	E920486 26-Jan-92	92-215 25-Aug-92	\$300,000.00
(ii) High Pressure Sodium Street Lighting Conversion Program - Phase 2	E920430 26-Jan-92	92-174 30-Jun-92	<u>517,514.97</u> <u>\$817,514.97</u>

12. That approval be given to the request of the Hamilton District Council of Women to use the following City Hall facilities on the occasion of its Centennial project in 1993 November:

(a) Council Chamber and annex on Wednesday, 1993 November 17 from 12:00 noon until 2:00 p.m. for a Centennial programme and refreshments; and,

(b) Second floor foyer area from 1993 Monday, November 15 to Thursday, November 18 for an historical display.

13. That approval be given to the action taken by the Acting City Clerk in authorizing Sheila Copps, M.P. for Hamilton East, to use the Council Chamber on Wednesday, 1993 August 25 at 7:00 p.m. for a presentation ceremony to recipients being honoured with Canada 125 Commemorative Medals.

14. (a) That approval be given to the request of the Canadian Christian Festival IV to use the City Hall forecourt on Friday and Saturday, 1994 June 24 and 25 from 9:00 a.m. - 9:00 p.m. for a concert in addition to a rallying point for the March for Jesus as part of the Canadian Christian Festival IV Programming in 1994; and,

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

15. (a) That approval be given to the request of the Council on Suicide Prevention, Hamilton & District Incorporated to use the Forecourt and related facilities for a Chili Cook-Off on Thursday, 1993 October 21, on Credit Union Day, between 9:00 a.m. and 1:00 p.m. as a fundraiser for its organization; and,

(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not conflict with any other activity.

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16. That approval be given to the request of the Spiritual Assembly of the Baha'is of Hamilton to use the City Hall forecourt on Friday, 1993 September 24 from 9:00 a.m. to 5:00 p.m. to set up an information table with regard to four meetings which will be sponsored by the Baha'i Community at the Hamilton Public Library.
17. That the Liquor Licence Board of Ontario be advised that the City of Hamilton is aware of the Watermelon Festival being held 1993 September 18, by the Westdale B.I.A. and does not object to the extension of the existing Liquor Licence of the New Village Restaurant at 988 King Street West where liquor and beer will be served in front of said premises from 11:00 a.m. to 11:00 p.m. in conjunction with this event.
18. That a purchase order be issued to Altruck Transportation Services, Hamilton, in the amount of \$71,869.25 including all applicable taxes, for the replacement of One 35,000 GVW Cab and Chassis with Dump Body installed, Unit 9210, for Fleet Services being the lowest of nine tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Reserve for Mobile Equipment Account No. CH5X503 00101.
19. That the listing of Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1993 August 18, attached herewith and marked Appendix "A", be approved.
20. That the contract settlement of the Hand Association of Sewer, Watermain & Road Contractors and the Labourer's International Union of North America, Local 837 be received pursuant to the Fair Wage Policy of the City of Hamilton.
21. (a) That a joint City and Regional Task Force be established to review issues concerning Roomers and Boarders; and,  
  
(b) That the membership include the following:
  - (i) City and Regional Department Representatives:
    - (1.) Department of Public Health - Inspections Division
    - (2.) Department of Social Services - Policy and Income Maintenance Division
    - (3.) Building Department
    - (4.) Licensing Department
    - (5.) Fire Department
    - (6.) Planning Department
    - (7.) Hamilton-Wentworth Police Services



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(ii) Community Representatives:

- (1.) Two Rooming House Tenants
- (2.) Member of the Food and Shelter Committee
- (3.) Member of the Roomers and Boarders Committee
- (4.) Member of Housing Help Centre/THIAC
- (5.) A Landlord
- (6.) Member of McQueston Legal Clinic
- (7.) Community Representative At-Large
- (8.) Representative from the Health Rights Coalition and United Disabled Consumers

(iii) Municipal Representatives:

- (1.) One Representative of Finance and Administration Committee - City of Hamilton
- (2.) One Representative of Health and Social Services Committee - Region of Hamilton-Wentworth

- (c) That the City Clerk liaise with the Regional Clerk on the procedures to be followed on the selection and appointment of the above-noted representatives; and,
- (d) That the Task Force attempt to report back to the appropriate committees and Councils within three months.
22. (a) That a grant in the amount of \$500. be approved for the Hamilton Canadian Club to purchase a bronze commemorative plaque to be erected on the Pigott Building in recognition of the building being the location of the first meeting in 1893 of the Canadian Club; and,
- (b) That funding for this expenditure be charged to the General Grants Account.
23. (a) That the City of Hamilton lease 1,900 square feet of the mall level portion of Copps Coliseum to 752413 Ontario Limited and Champions Fitness Ltd. (Gene Kay and Michael Watson), carrying on business as Champions Family Fitness Centres, subject to the following terms and conditions:

Property: North-East quadrant of retail mall level  
Copps Coliseum, 101 York Boulevard

Area: 1,900 square feet



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- (i) Term:
- (1.) Ten (10) Years  
Commencing 1993 October 1  
Terminating 2003 September 30
  - (2.) If at any time during the lease the Lessor requires the leased space for use as part of a N.H.L. hockey franchise, then upon ninety (90) days written notice, this lease will be automatically terminated.
  - (3.) If the Lessor exercises its rights under paragraph (2.) above, then the Lessor will reimburse the Lessee for the costs of the tenant improvements based on a sliding scale reduction of 10% of said cost for every year of the lease that has been completed. Prior to the commencement of the lease, the estimate of the cost of the tenant improvements will be provided by the Lessee and incorporated into the lease agreement.
- (ii) Rental Rate:
- (1.) For the first five (5) years \$4. per square foot (NET), \$7,600. annually, \$633.33 per month, plus G.S.T.;
  - (2.) Second five (5) years rental rate to be negotiated six (6) months prior to end of first five (5) year term;
  - (3.) First and last month's rent to be received prior to execution of lease.
- (iii) Operating Costs: Lessee to pay all operating costs associated with leased space (taxes, hydro, heat and air).
- (iv) Option to Renew: At the sole discretion of the Lessor, a five (5) year renewal will be granted if requested by the Lessee, provided all terms of the lease being complied with, and six (6) months prior to the expiry of the initial term, the new rental rate is agreed upon, other terms and conditions (except no renewal clause) to remain the same.

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(v) Tenant Improvements: The Lessee is responsible, at its own cost,

- (1.) to install all tenant improvements;
- (2.) to construct an opening in the wall between Lloyd D. Jackson Square and Copps Coliseum; and
- (3.) to construct a plenum (if necessary) along the north side of the leased space, in order to draw air from the common corridor of the retail mall level of Copps Coliseum.

All construction drawings (meeting all code requirements) must be submitted to and approved by the Lessor prior to construction.

All work to be carried out in a good workmanlike manner meeting all code requirements.

The first six (6) months are a free-rent period to assist in Tenant's construction costs associated with the renovations required.

(vi) Special Conditions:

- (1.) That Second Phase Civic Square Limited, Lessee of Phase II, Civic Square,
  - (a) grant 752413 Ontario Limited and Champions Fitness Ltd. its approval to the alterations for the opening in the exterior wall of the premises of Second Phase Civic Square to be carried out by 752413 Ontario Limited and Champions Fitness Ltd.; and
  - (b) confirm to the City that 752413 Ontario Limited and Champions Fitness Ltd. has fulfilled its requirements regarding the alterations.

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- (2.) That the tenant be required to file with the City during construction of the alterations, a Letter of Credit for 100% of the value of the alterations to the wall of the Coliseum.
  - (3.) That the Lessee, prior to the end of the term and at its own cost, shall (1) remove all alterations, decorations, additions or improvements in or on the leased premises as the Lessor may require to be removed, and (2) restore the opening between the leased premises and Jackson Square to its original condition.
  - (4.) That the proposed lease with 752413 Ontario Limited and Champions Fitness Ltd. shall also terminate prior to its expiry in the event that its lease of adjacent premises from Second Phase Civic Square Limited expires or terminates early.
  - (5.) That the Lessee shall not have a right to assign or sublet this lease unless the City grants its approval and the third party enters into a lease assumption agreement satisfactory to the City.
  - (6.) Mr. Gene Kay and Mr. Michael Watson will personally guarantee the lease and its terms for the first three (3) years of the lease.
- (b) That the Director of Property, Co-ordinator, Lloyd D. Jackson Square, be directed to apply to the Minister of Municipal Affairs and to C.M.H.C. for approval of the proposed lease; and,
  - (c) That the Mayor and City Clerk be authorized and directed to execute the lease and related agreements in a form satisfactory to the Director of Property, H.E.C.F.I, and the City Solicitor.



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24. (a) (i) That an Option to Purchase, executed by Hamco Heating & Cooling Ltd., formerly Hamilton Sales Ltd. (Lawrence E. Vasilak, President), on 1993 August 4, and scheduled for closing on or before 1993 October 22, for the purchase of a parcel of vacant land situated at 11 Ferguson Avenue North, more particularly described as being composed of Lot 31, Daniel Kelly Survey, Registered Plan No. 38, comprising 470.68 square metres (5,066.6 square feet) more or less, with frontage along the west side of Ferguson Avenue North of 11.0886 metres (36.38 feet) more or less, having a depth along the northerly and southerly boundaries of 42.672 metres (140.0 feet) more or less, and having a rear measurement of 10.973 metres (36.0 feet) more or less, be approved and completed and the purchase price of \$111,465. be charged to Account No. CF 5698 909245002 (Land Acquisition - for Parking Purposes - General); and,
- (ii) That the Option to Purchase be subject to the following conditions:
- (1.) The Purchaser satisfying itself on or before 1993 August 24, that soil tests are conducted satisfactory to it; and,
- (2.) That the final purchase price shall be calculated at a rate of \$22. for each square foot of land purchased as defined by the aforesaid Registered Reference Plan. This may result in an upward or downward adjustment to the approximate purchase price of \$111,465; and,
- (3.) That this Option to Purchase Agreement is subject to the approval of the Board of Directors of the Hamilton Parking Authority and City Council on or before 1993 September 7.
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
25. That the use of Committee Rooms at City Hall be restricted to activities associated with or sponsored by City Council, a Civic Department or Committee of Council.
26. That the City of Hamilton adopt a policy of not dealing with resolutions received from municipalities outside of the Hamilton-Wentworth Region, but rather referring them to the appropriate Federal or Provincial Association for its collective deliberations, as follows:



**1993 August 31**

- (a) That resolutions received for endorsation from municipalities outside of the Hamilton-Wentworth Region be acknowledged by the City Clerk with the advice that resolutions received from outside of the Hamilton Wentworth Region are referred to the appropriate Federal or Provincial Association for disposition; and,
  - (b) That the City Clerk refer resolutions dealing with Provincial matters to the Association of Municipalities of Ontario for consideration; and,
  - (c) That the City Clerk refer resolutions dealing with matters of a national or international significance to the Federation of Canadian municipalities for consideration; and,
  - (d) That resolutions received from municipalities within the Hamilton-Wentworth Region be referred by the City Clerk to the appropriate Committee for consideration; and,
  - (e) That resolutions initiated by Hamilton City Council be referred to the appropriate Minister(s) of the Senior Government(s) involved, with copies being sent to the relevant municipal association(s), and to the local members of the Federal or Provincial Parliaments, where appropriate; and,
  - (f) That all resolutions received from municipalities outside of the Hamilton-Wentworth Region be forwarded to members of City Council for information.
27. (a) That as referred to in Section 15 of the Fifteenth Report for 1993 of the Parks and Recreation Committee, the added net cost to complete the construction of a new Club House for the Hamilton Tennis Club due to retendering, in the amount of \$111,000., be financed from the Reserve for Capital Projects, Centre 00203; and,
- (b) That the total estimated gross cost of the project be revised to \$486,000. to reflect the added cost.
28. (a) That vehicle 6021, a 1986 GMC Versalift, Telescopic Aerial Device be replaced at an estimated cost of \$70,000. and financed from the Reserve for Replacement of Mobile Equipment, Centre 00101; and,
- (b) That a 1983 GMC Stake Dump, unit 9221, and two 1982 Ford 340 Tractors, units 9548 and 9549, which would have been replaced at an estimated cost of \$80,000., not be replaced at this time.

**1993 August 31**

29. That leave be granted to introduce the following Bill:

Bill H-51     A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder  
Secretary  
1993 August 26**

## THE CORPORATION OF THE CITY OF HAMILTON

## APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Mark Magdic	I	Motor Mechanic I (T2)	Fleet Services	Replacing Mr. J. Boltonzon - deceased May 31/93	\$44,784.48	July 05/93
Ms. Debbie Sanche	I	Manager of Support Services (A)	Information Systems	Replacing Ms. K. Goodfellow - resigned June 18/93		
Ms. Roberta Violin	I	Parks Draftsperson (16)	Public Works	New Position Council Approved November 24/92 Restructuring of Culture & Recreation and public Works	\$34,708.56 to \$39,443.04	June 28/93

Appendix "A" referred  
to in Section 19 of the  
**FIFTEENTH** Report of the  
Finance and Administration  
Committee for 1993.

Prepared August 18/93

Status
Internal - I
External - E

## THE CORPORATION OF THE CITY OF HAMILTON

## APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Scott Abbott	I	Gardener II (D-14)	Public Works	Replacing Mr. M. Andrechek - promoted, Dec. 07/92 D. Biggs terminated September 25/92	\$36,052.64	Aug. 16/93
Mr. Michael Hunter	I	Forester II (D-18)	Public Works	Replacing Mr. R. Canfor - promoted, March 08/93 New Position Council Approved January 28/92	\$37,510.72	July 19/93
Mr. Michael Kama	I	Motor Mechanic III (D-20)	Public Works	Replacing Mr. M. Magdic - promoted, July 05/93 Mr. J. Bolonzon deceased May 31/93	\$38,240.80	Aug. 02/93

Prepared August 18/93

Status

Internal - I

External - E





THE CORPORATION OF THE CITY OF HAMILTON  
 TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Scott Bowman	Gardener III	Public Works	Resigned	1 year, 3 months	Aug. 06/93
Mr. Antonio Costantini	Concrete Finisher	Public Works	Retired	8 years, 9 months	Aug. 31/93
Mr. Charles Hewitt	Building Inspector	Building	Terminated	19 yrs, 11 months	July 19/93
Ms. Susanne Markle	Record's Clerk	City Clerk's	Resigned	5 years, 5 months	Aug. 08/93

Prepared August 18/93

Glossary of Terms

Terminated - long term disability  
 - discharge  
 - downsizing  
 - redundant

Resigned - personal betterment  
 - personal reasons



2nd floor

URBAN/MUNICIPAL

**BILLS**

**CITY COUNCIL**

**1993 AUGUST 31**





**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 93 -**

**To Authorize:**

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of concrete sidewalks and curbs and finished roadway on FORBES STREET from approx. 40m south of Blossom Lane to approx. 57m southerly, as described in Schedule "A";
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Senior Director of Roads.

**WHEREAS** the Council of The Corporation of the City of Hamilton did adopt Item 20 of the 1st Report of the Transport & Environment Committee on January 12, 1993;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton did adopt Item 4 of the 1st Report of the Finance & Administration Committee on January 12, 1993;

**AND WHEREAS** it is expedient to proceed without petition to undertake, as local improvements, the works hereinafter described;

**AND WHEREAS** notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act, R.S.O. 1980;

**AND WHEREAS** a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

**AND WHEREAS** the Council has obtained reports, estimates and statements required for the undertaking of the said works;

**AND WHEREAS** Ontario Regulation 710/92 enacted under the authority of the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require the approval of the Ontario Municipal Board;

**AND WHEREAS** the City Treasurer has confirmed that the financial commitments, liabilities and debts of the project listed herein together with the City of Hamilton's other financial obligations and debts do not exceed the City's debt and financial obligation limit prescribed by Ontario Regulation 710/92 (in force as of January 1, 1993) and that the approval of the Ontario Municipal Board with respect to the project listed herein is therefore not required;

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$47,400.00.
2. The share or portion of the estimated cost of the works in the amount of \$31,860.00 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
  - (a) to the extent sufficient to provide an amount not exceeding \$31,860.00;
  - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Senior Director of Roads is hereby authorized to:
  - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
  - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this                      day of                      , A.D. 1993.

CITY CLERK

MAYOR

(1993) 1 R.T.E.C. 20, January 12

(1993) 1 R.F.A.C. 4 , January 12

SCHEDULE "A"

The construction of concrete sidewalks and curbs and finished roadway on FORBES STREET from approx. 40m south of Blossom Lane to approx. 57m southerly at the costs not exceeding those set out below:

City's Share	\$ 15,540.00
Owners' Share	<u>31,860.00</u>
TOTAL ESTIMATED COST	<u>\$ 47,400.00</u>
Estimated Cost per metre frontage	\$ 360.00
Fifteen (15) annual instalments	



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93 -

To Authorize:

1. The construction of local improvements of a finished roadway on ACADIA DRIVE approx. 50m south of Butler Drive to approx. 200m southerly, as described in Schedule "A";
2. The special assessment to pay a portion of the cost upon petition made under Section 11 of The Local Improvement Act;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Transportation/Environmental Services.

WHEREAS a petition has been received to construct as local improvements the works hereinafter described;

AND WHEREAS the City Clerk has certified as to the sufficiency of the said petition;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 24 of the 6th Report of the Transport & Environment Committee and Item 8 of the 11th Report of the Finance & Administration Committee on May 11, 1993;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS Ontario Regulation 710/92 enacted under the authority of the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require the approval of the Ontario Municipal Board;

AND WHEREAS the City Treasurer has confirmed that the financial commitments, liabilities and debts of the project listed herein together with the City of Hamilton's other financial obligations and debts do not exceed the City's debt and financial obligation limit prescribed by Ontario Regulation 710/92 (in force as of January 1, 1993) and that the approval of the Ontario Municipal Board with respect to the project listed herein is therefore not required;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$111,600.00.

2. The share or portion of the estimated cost of the works in the amount of \$88,800.00 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
  - (a) to the extent sufficient to provide an amount not exceeding \$88,800.00; and,
  - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Transportation/Environmental Services is hereby authorized to:
  - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
  - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this                      day of                      , A.D. 1993.

CITY CLERK

MAYOR

(1993) 6 R.T.E.C. 24, May 11

(1993) 11 R.F.A.C. 8, May 11

SCHEDULE 'A'

The Construction of a finished roadway on ACADIA DRIVE approx. 50m south of Butler Drive to approx. 200m southerly and the cost not exceeding those set out below:

City's Share	\$ 22,800.00
Owners' Share	<u>88,800.00</u>
Total Estimated cost	<u>\$111,600.00</u>

Estimated Cost per metre frontage	\$ 222.00
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Fifteen (15) annual instalments

**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 93 -**

**To Authorize:**

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of concrete sidewalks on the west side of UPPER WELLINGTON STREET from Bryna Avenue to the north limit of the East-West Freeway, as described in Schedule "A";
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Transportation/Environmental Services.

**WHEREAS** the Council of The Corporation of the City of Hamilton did adopt Item 23 of the 6th Report of the Transport & Environment Committee on May 11, 1993;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton did adopt Item 9 of the 11th Report of the Finance & Administration Committee on May 11, 1993;

**AND WHEREAS** it is expedient to proceed without petition to undertake, as local improvements, the works hereinafter described;

**AND WHEREAS** notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act, R.S.O. 1980;

**AND WHEREAS** a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

**AND WHEREAS** the Council has obtained reports, estimates and statements required for the undertaking of the said works;

**AND WHEREAS** Ontario Regulation 710/92 enacted under the authority of the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require the approval of the Ontario Municipal Board;

**AND WHEREAS** the City Treasurer has confirmed that the financial commitments, liabilities and debts of the project listed herein together with the City of Hamilton's other financial obligations and debts do not exceed the City's debt and financial obligation limit prescribed by Ontario Regulation 710/92 (in force as of January 1, 1993) and that the approval of the Ontario Municipal Board with respect to the project listed herein is therefore not required;



NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$25,300.00.
2. The share or portion of the estimated cost of the works in the amount of \$18,156.00 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
  - (a) to the extent sufficient to provide an amount not exceeding \$18,156.00;
  - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Transportation/Environmental Services is hereby authorized to:
  - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
  - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this                      day of                      , A.D. 1993.

CITY CLERK

MAYOR

SCHEDULE "A"

The construction of concrete sidewalks on the west side of UPPER WELLINGTON STREET from Bryna Avenue to the north limit of the East-West Freeway at the costs not exceeding those set out below:

City's Share	\$ 7,144.00
Owners' Share	<u>18,156.00</u>
TOTAL ESTIMATED COST	<u>\$ 25,300.00</u>
Estimated Cost per metre frontage	\$ 89.00
Fifteen (15) annual instalments	

**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 93-**

**TO STOP-UP, CLOSE AND SELL A PORTION,  
AND TO ALTER THE REMAINDER OF BECKLEY STREET  
FROM JOHN STREET TO JAMES STREET**

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close or sell any highway or part of a highway;

**AND WHEREAS** The Corporation of the City of Hamilton is the owner of Beckley Street described as Parts 1 and 2, on Plan 62R-12475;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, in adopting Item 15 of the 2nd Report of the Transport and Environment Committee on January 20, 1992, authorized the City to stop-up, close and sell part of the Public Highway, being part of Beckley Street (as established by City of Hamilton By-Law No. 4917);

**AND WHEREAS** The Council of the Corporation of the City of Hamilton approved at its meeting held on June 29, 1993, Item 65, 8th Report of the Transport and Environment Committee, the sale to the Toronto Area Transit Operating Authority of Part 2, Plan 62R-12475, for the sum of \$432,700.00, all in accordance with and subject to the terms and conditions of an agreement dated June 17, 1993, subject to the highway closing and sale purchases in the Registry Act and the Municipal Act;

**AND WHEREAS** Notice of the City's intention to pass this By-Law has been published as required by Section 301 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton at its meeting held on June 29, 1993, authorized that its intention to alter the remainder of Beckley Street not being closed and sold (more particularly described as Part 1, on Plan 62R-12475) by the construction of a median thereon to separate the open portion of Beckley Street for the section to be closed;

**AND WHEREAS** Notice of the City's intention to pass this By-Law to authorize the said alteration has been published as required by Section 301 of the Municipal Act for four (4) consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

**AND WHEREAS** the Council through its Transport and Environment Committee has heard all persons who applied to be heard, no matter whether in objection to or in support of this alteration By-Law;

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the portion of highway described as;

Part of Beckley Street, being formerly part of Lots 99, 100, 101 and 104, Market Reserve and Hughson Street, Registered Plan No. 1431, designated as Part 2, on Plan 62R-12475.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Are hereby stopped and closed.

To stop-up, close and sell a portion, and to alter the remainder of Beckley Street from John Street to James Street

2. That subject to the easements provided for in paragraphs three and four below, the soil and freehold in that portion being closed described as Part 2, on Plan 62R-12475, be sold to the Toronto Area Transit Operating Authority for the sum of \$432,700.00 in accordance with the provisions of the agreement above noted.
3. That an easement be granted to the Regional Municipality of Hamilton-Wentworth over Part 2, on Plan 62R-12475.
4. That a 2 metre easement be granted to Union Gas for their underground Plant.
5. That the alteration to narrow Beckley Street by 11 m from James Street to 6 m westerly be undertaken.
6. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this

day of

A.D. 1993

City Clerk

Mayor



## BY-LAW NO. 93 -

## TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 24 (Parking Meter Locations)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended:

a) by deleting from **Section 2(A)** the following items, namely:-

*Augusta	North	James to Hughson
Augusta	North	Hughson to John
Beckley	South	John to 326 ft. west
George	North	Hess to Caroline
Haymarket	North	Hughson to John
Hess	East	George to King
Hess	East	Main to George
Hughson	East	Augusta to Haymarket
Hughson	East	Charlton to Young
Hughson	West	Young to Augusta
Robinson	North	James to MacNab".

and by adding to **Section 2(b)** the following items, namely:-

*Augusta	North	James to Hughson
Augusta	North	Hughson to John
Beckley	South	John to 326 ft. west
George	North	Hess to Caroline
Haymarket	North	Hughson to John
Hess	East	George to King
Hess	East	Main to George
Hughson	East	Augusta to Haymarket
Hughson	East	Charlton to Young
Hughson	West	Young to Augusta
Robinson	North	James to MacNab".

b) by deleting from **Section 3(a)** the following items, namely:-

*Colbourne	South	James to Severn
Augusta	South	John to 210 ft. east
Bold	South	James to MacNab
Duke	South	James to MacNab
Forest	South	James to Hughson
Robinson	South	From 260 ft. east of MacNab to James
Spring	East	Main to 92 ft. south
Robert	South	James to Hughson
Mulberry	South	James to 95 ft. west".

and by adding to **Section 3(b)** the following items, namely:-

*Colbourne	South	James to Severn
Augusta	South	John to 210 ft. east





## BY-LAW NO. 93 -

## TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 26 (No Parking Areas)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting from **Section A (No Parking Anytime)** the following items, namely:-

"Golden Orchard	South and West	From 126 feet west of Brigadoon to a point 215 feet northerly therefrom".
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and by adding thereto the following items, namely:-

"Golden Orchard	South and West	commencing at a point 182 feet west of Brigadoon to a point 159 feet northerly therefrom
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Guildwood	South and West	commencing at a point 98 feet north-west of the extended curb line of Gilcrest to a point 153 feet westerly therefrom
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Dalcar	Both	Upper Paradise to easterly end".
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2. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

"Simcoe	Both	Bay to MacNab	Anytime
---------	------	---------------	---------

Leeming	West	commencing at a point 84 feet south of Wright to a point 22 feet southerly therefrom	Anytime
---------	------	--	---------

Broadway	East	commencing at a point 336 feet south of Ainslie to a point 24 feet southerly therefrom	Anytime".
----------	------	--	-----------

and by deleting therefrom the following item, namely:-

"Dunsmure	North	commencing at a point 51 feet east of Graham to a point 20 feet easterly therefrom	Anytime".
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3. **Schedule 25B(Parking Time Limits)** is hereby amended:

a) by deleting from **Section 4 (One Hour Limit)** the following item, namely:-

"Simcoe	Both	MacNab to Bay".
---------	------	-----------------



b) by adding to Section 10 (One Hour Limit 8:00 a.m. to 6:00 p.m.) the following item, namely:-

"East 27th	West	from a point 136 feet south of Fennell to the extended south curb line of Mackenzie".
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and by deleting therefrom the following item, namely:-

"East 27th	West	Fennell to extended south curb line of Mackenzie".
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4. **Schedule 27 (Alternate Side Parking)** is hereby amended by deleting therefrom the following item, namely:-

"Brigadoon Garrow to Fiona (east leg)	West & North	East & South"
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and by adding thereto the following item, namely:-

"Brigadoon Grenoble to Fiona (east leg)	West and North	East and South".
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5. **Schedule 23 (Hamilton Street Railway Bus Stops)** is hereby amended:

a) by deleting from the Inbound Column the following item, namely:-

"Limeridge at #764"

and by adding thereto the following items, namely:-

"Limeridge, south side, 97 feet east of the east curb  
line of Leggett (east leg), F/S.

Eaglewood, north side, 39 feet east of the east curb  
line of Eleanor, N/S".

6. **Schedule 22 (Hamilton Street Railway Bus Routes)** is hereby amended by adding thereto the following items, namely:-

"Eva Eaglewood	Rymal Eva	Eaglewood Eleanor".
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PASSED this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 1993.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED AT THE REAR OF MUNICIPAL NO. 1011 QUEENSTON ROAD  
(NORTH OF BERKINDALE DRIVE)**

**WHEREAS** it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-124 and E-125 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

(a) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District,

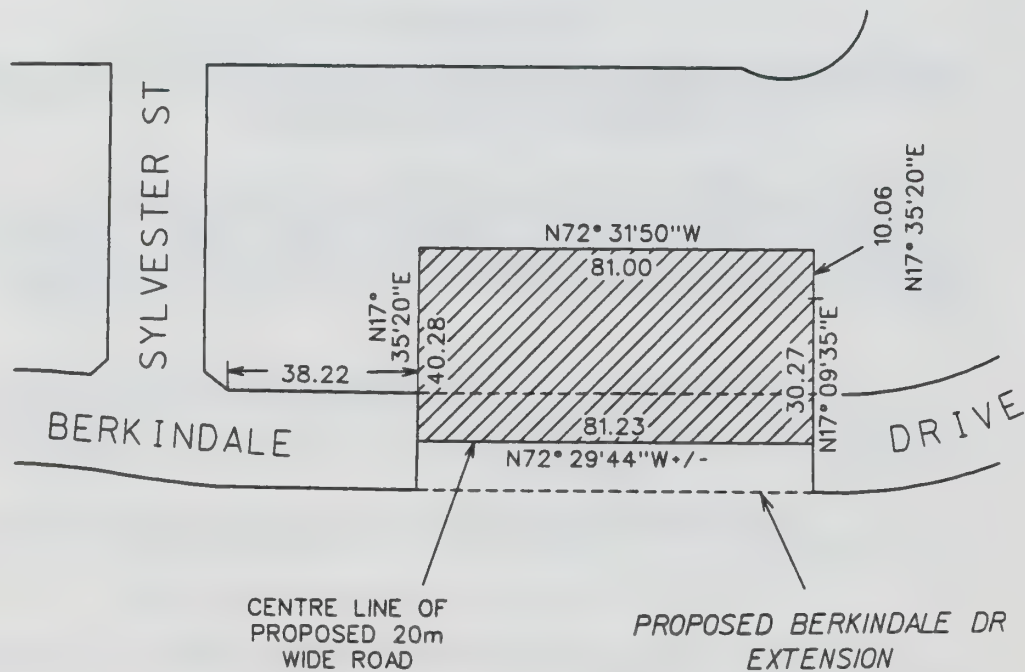
the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

**PASSED** this                      day of                      A.D. 1993

CITY CLERK

MAYOR



CITY OF HAMILTON  
 -----  
 CITY OF STONEY CREEK

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93-\_\_\_\_  
 Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1993.

-----  
 Clerk

-----  
 Mayor

## City of Hamilton Schedule A

Map Forming Part of  
 By-Law No. 93-\_\_\_\_  
 to Amend By-Law No. 6593

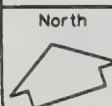
Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

### Legend

Change in zoning from:



"AA" (Agricultural) District to "R-4"  
 (Small Lot Single-Family Detached)  
 District.



Scale  
 NOT TO SCALE

Date  
 JUNE 1993

Reference File No.  
 ZAC-93-01

Drawn By  
 W.J.S.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED AT THE REAR OF MUNICIPAL NO. 1011 QUEENSTON ROAD  
(SOUTH OF BERKINDALE DRIVE)**

**WHEREAS** it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-124 and E-125 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District, the land comprised in Block 1; and
- (b) by changing from "AA" (Agricultural) District to "H" (Community Shopping and Commercial, etc.) District, the land comprised in Block 2,

the land, the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands referred to in section 1.(b) are amended to the extent only of the special requirements that,

- (a) a landscape planting strip not less than 6.0 m wide shall be provided and maintained along the northerly limits of the "H" District lands where they abut the residential district to the north; and
- (b) a visual barrier not less than 2.5 m in height shall be provided and maintained within the landscaped planting strip referred to in clause (a).



3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1313.

5. Sheets No. E-124 and E-125 of the District Maps are amended by marking the lands referred to in section 1.(b) of this by-law, S-1313.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

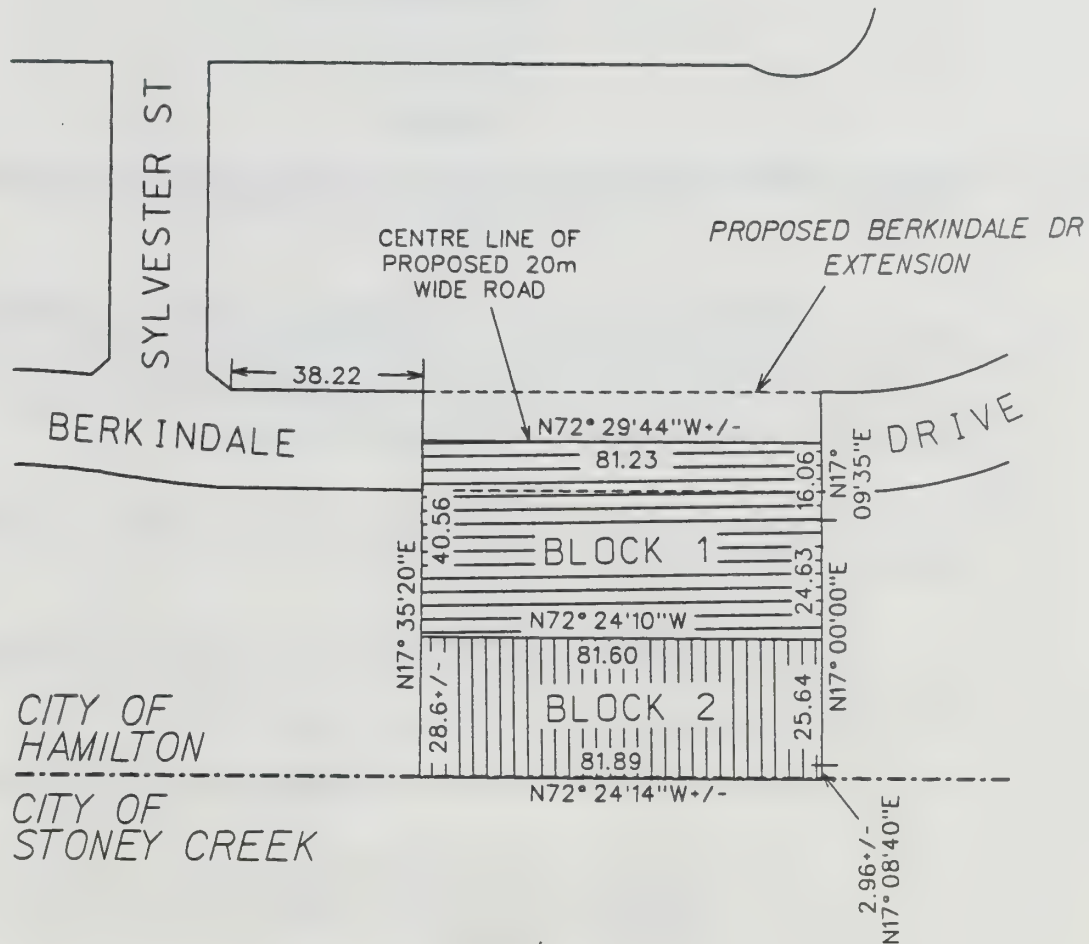
day of

A.D. 1993

CITY CLERK

MAYOR

(1993) 11 R.P.D.C. 3.B, June 29  
Adorn Investments Limited, Owners  
and Valerie Fine, Trustee  
Amended ZAC-93-01



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93-\_\_\_\_  
Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1993.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**City of Hamilton**  
**Schedule A**  
Map Forming Part of  
By-Law No. 93-\_\_\_\_  
to Amend By-Law No. 6593  
Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**

Change in zoning from:

BLOCK 1

"AA" (Agricultural) District to "R-4"  
(Small Lot Single-Family Detached) District.

BLOCK 2

"AA" (Agricultural) District to "H"  
(Community Shopping and Commercial, etc.)  
District, modified.

North



Scale  
NOT TO SCALE

Reference File No.  
ZAC-93-01

Date  
JUNE 1993

Drawn By  
W.J.S.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Establish:

Site Plan Control

Respecting:

**LAND LOCATED AT THE REAR OF MUNICIPAL NO. 1011 QUEENSTON ROAD  
(SOUTH OF BERKINDALE DRIVE)**

**WHEREAS** By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

**AND WHEREAS** it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

150. Land located at the rear of Municipal No. 1011 Queenston Road (south of Berkindale Drive), shown on Appendix 150 hereto annexed and forming part of this by-law.

2. Appendix 150 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

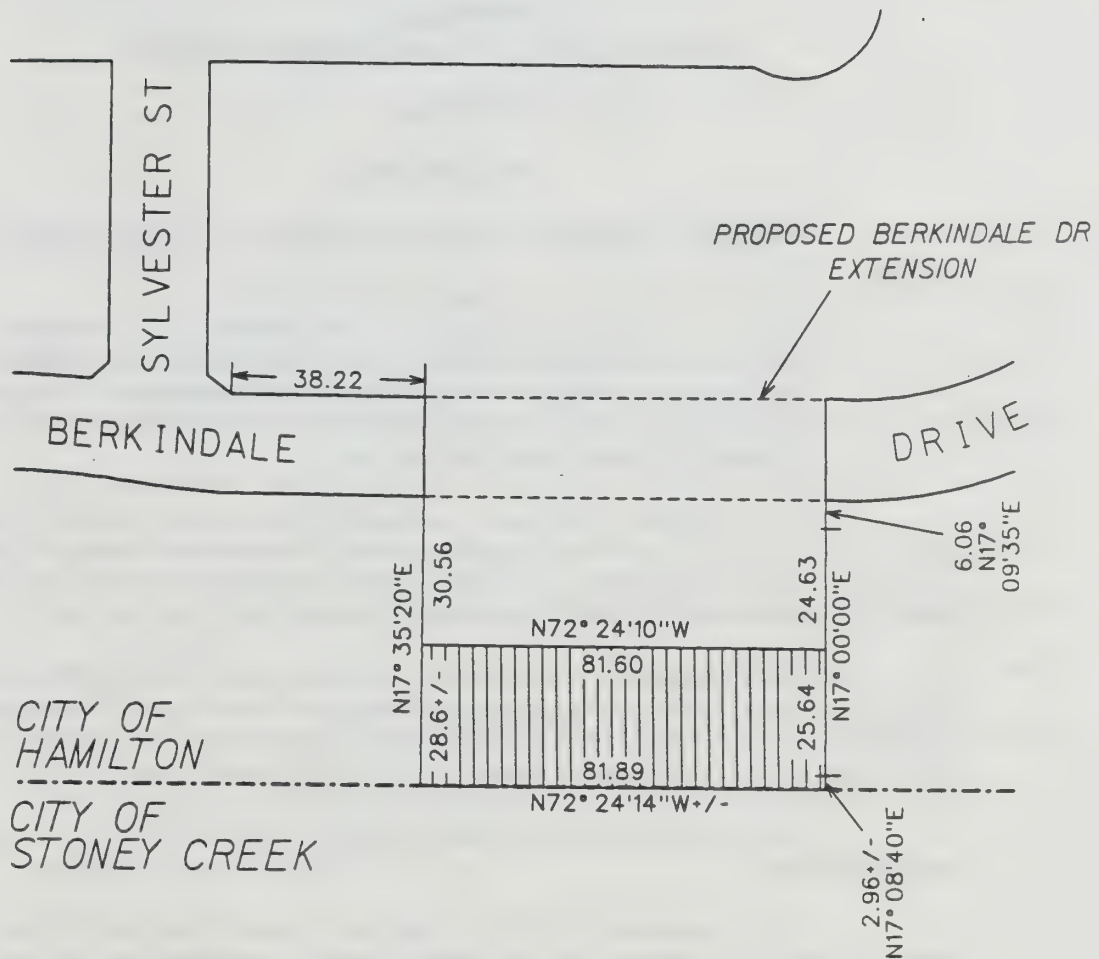
**PASSED** this

day of

A.D. 1993

CITY CLERK

MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93-\_\_\_\_  
Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1993.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**City of Hamilton**  
**APPENDIX 150**  
**TO BY-LAW No. 79-275**  
**AS AMENDED BY**  
**By-Law No. 87-223**

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**



Lands designated under this By-Law  
as an area of Site Plan Control  
pursuant to section 41 of the  
Planning Act, R.S.O., 1990.

North



Scale  
NOT TO SCALE

Date  
JUNE 1993

Reference File No.  
ZAC-93-01

Drawn By  
W.J.S.



The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Authorize  
The Entering Into of a Heritage Easement Agreement

Respecting:

**WHITEHERN**

**WHEREAS** Section 37(1) of the Ontario Heritage Act, R.S.O. 1990, c. O.18, provides as follows:

37. (1) Despite subsection 36(1), the council of a municipality after consultation with its local advisory committee, where one is established, may pass by-laws providing for the entering into of easements or covenants with owners of real property, or interests therein, for the conservation of buildings of historic or architectural value or interest;

**AND WHEREAS** the Local Architectural Conservation Advisory Committee at its meeting of July 12, 1993 recommended that the City enter into a Heritage Easement Agreement with the Ontario Heritage Foundation for the property of Whitehern at 41 Jackson Street West, pursuant to Section 37 of the Ontario Heritage Act;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, in adopting Section 10 of the 12th Report of the Planning and Development Committee at its meeting held on the 27th day of July 1993, authorized the preparation of a by-law to provide for the entering into of a Heritage Easement Agreement as hereinafter provided.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Corporation of the City of Hamilton is hereby authorized to enter into a Heritage Easement Agreement with the Ontario Heritage Foundation for the lands more particularly described in Schedule "A" attached hereto and forming part of this by-law, for the conservation, protection, and preservation of the present historical, architectural, aesthetic and scenic character of the building located thereon.

2. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk, are hereby authorized and directed to execute the Heritage Easement Agreement and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this

day of

A.D. 1993

CITY CLERK

MAYOR

**SCHEDULE "A"**

To By-law No. 93-

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in The Regional Municipality of Hamilton-Wentworth, being composed of Lots Numbers Eight-one (81), Eight-two (82), One Hundred and One (101) and One Hundred and Two (102), of that part of the Town, now City of Hamilton, laid out into town lots by P. H. Hamilton and lying on the west side of MacNab Street between Maiden Lane, now Jackson and Hunter Streets, in the said City of Hamilton, SAVING AND EXCEPTING the southerly fifty feet (50') of said Lots Numbers One Hundred and One (101) and One Hundred and Two (102) heretofore sold and conveyed to the National Trust Company Limited by conveyance bearing date the 12th day of April 1933, and registered as number 14965 N.S.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593  
as Amended by Zoning By-law No. 92-075

Respecting:

**LAND LOCATED AT MUNICIPAL NO. 1314 UPPER WENTWORTH STREET**

**WHEREAS** it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 92-075 on the 10th day of March 1992 to establish special requirements under Section 19B of Zoning By-law No. 6593 for the "AA" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(21) of the Planning Act, R.S.O. 1990, c. P.13;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, in adopting Section 9 of the 9th Report of the Planning and Development Committee at its meeting held on the 11th day of May 1993, recommended that Zoning By-law No. 6593, as amended by By-law No. 92-075, be further amended as hereinafter provided;

**AND WHEREAS** the special condition relating to this rezoning, referred to in Section 9 of the 9th Report of the Planning and Development Committee adopted by City Council on the 11th day of May 1993, has been satisfied;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1.(a)(i) of By-law No. 92-075 is amended by adding the words "including an accessory butcher shop" after the words "a retail variety store" so that the section reads as follows:

"(i) **COMMERCIAL USES:**

1. a retail variety store including an accessory butcher shop;
2. a business and professional person's office,

within the building existing on the day of the passing of this by-law;"

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "AA" District provisions, subject to the special requirements referred to in section 1 of By-law No. 92-075 and section 1 of this by-law.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1158a.

4. Sheet No. E-18C of the District Maps is amended by marking the lands referred to in section 1 of By-law No. 92-075, S-1158a.

5. In all other respects, By-law No. 92-075 is hereby confirmed, unchanged.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

A.D. 1993

CITY CLERK

MAYOR

(1993) 9 R.P.D.C. 9, May 11  
518374 Ontario Limited,  
(Angello Papastamos) Owner  
ZA-92-53



The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Remove  
Land within the Sandrina Gardens, Phase 1 Subdivision, Plan 62M-733  
from Part Lot Control

WHEREAS subsection 5 of section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of section 50 of the Planning Act, states, in part, as follows:

- (7) Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or part of parts thereof as is or are designated in the by-law, and, where the by-law is approved by the Minister, subsection (5) ceases to apply to such land, . . .;

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of section 50 of the Planning Act, shall not apply to the following lands:

Lots 1-22, inclusive, within Registered Plan Number 62M-733, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.
2. (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton-Wentworth.
- (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

PASSED this            day of            A.D. 1993.

City Clerk

Mayor

This Bylaw is approved pursuant to section 50(7), the Planning Act and section 4, Bylaw R89-171 of The Regional Municipality of Hamilton-Wentworth, this            day of            1993.

\_\_\_\_\_  
Commissioner of Planning and Development of  
The Regional Municipality of Hamilton-Wentworth

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS. 236-250 RYMAL ROAD WEST**

**WHEREAS** it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. W-17D and W-17E of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) District to "R-2" - 'H' (Urban Protected Residential - One and Two-Family Dwellings, etc. - Holding) District, the land comprised in Block 1;
- (b) by changing from "AA" (Agricultural) District to "R-2" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District, the land comprised in Block 2,

the lands, the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The "R-2" - 'H' (Urban Protected Residential - One and Two-Family Dwellings, etc. - Holding) District referred to in Section 1.(a) shall be subject to the special requirements that,

- (a) municipal water and sewer services be made available to serve the subject lands, to the satisfaction of the Commissioner of Transportation and Environmental Services; and
- (b) upon completion of all of the matters contained in subclause 2.(a), the 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in Section 1.(a) may proceed in accordance with the "R-2" District provisions.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

**PASSED** this

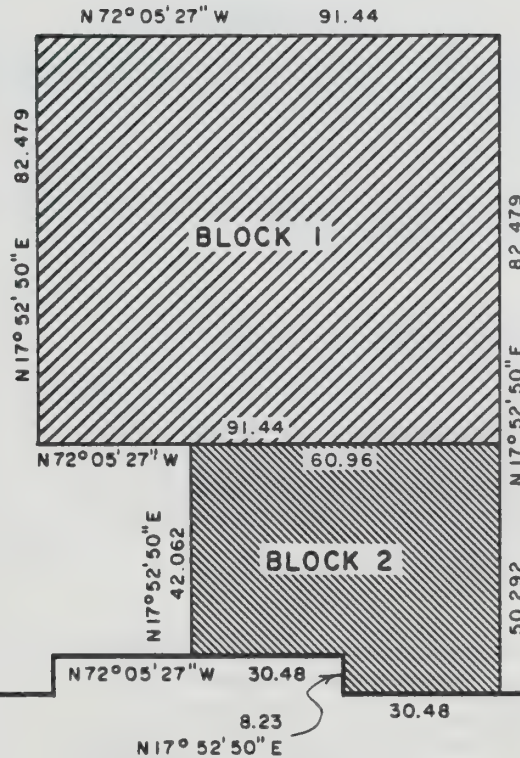
day of

A.D. 1993.

**CITY CLERK**

**MAYOR**

(1993) 12 R.P.D.C. 9, July 27  
Ascenzo Lepore, Owner  
Amended ZA-89-57



ROAD ALLOWANCE BETWEEN LOTS 16 AND 17

S.E. CORNER OF LOT 17 - CON. B

RYMAL ROAD WEST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93-.....  
Passed the ..... day of ..... 1993.

.....  
Clerk

.....  
Mayor

# City of Hamilton Schedule A

Map Forming Part of  
By-Law No. 93-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

## Legend

Changes in zoning from "AA" (Agricultural) District to:

- BLOCK 1 "R-2" - "H" (Urban Protected Residential - One and Two-Family Dwellings, etc. - Holding) District.
- BLOCK 2 "R-2" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District.

North



Scale  
NOT TO SCALE

Date  
JULY 1993

Reference File No.  
ZA 89-57 Amended

Drawn By  
Z. K.



The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Authorize:

**THE NEW COMMERCIAL LOAN PROGRAM**

**WHEREAS** the Ontario Municipal Board by Order dated the 12th day of August, 1987, (File No. E 870759), approved,

- (a) certain improvements in the present and future Business Improvement Areas under the Commercial Improvement Program at an estimated cost of \$2,500,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures to a maximum of \$2,500,000.00 for a term not to exceed fifteen years by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation.

**AND WHEREAS** the Council of the Corporation of the City of Hamilton enacted By-law 87-237 to authorize the Commercial Improvement Program on the 1st day of September, 1987;

**AND WHEREAS** the Council of the Corporation of the City of Hamilton, in adopting Item 10 of the 1st Report of the Planning & Development Committee on the 12th day of January, 1993, authorized an application to the Ontario Municipal Board for approval to transfer \$500,000.00 from the Commercial Improvement Program to the New Commercial Loan Program.

**AND WHEREAS** the Ontario Municipal Board by Order dated the 21st day of June, 1993 approved the transfer of \$500,000.00 from the previous debentured Commercial Improvement Program to the New Commercial Loan Program.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as certain improvements in the present and future Business Improvement Areas under the New Commercial Loan Program, may now be proceeded with in accordance with the said Order of the Ontario Municipal Board dated the 21st day of June, 1993.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

**PASSED** this

day of

1993.

City Clerk

Mayor

(1993) 1 R.P.D.C. 10, January 12

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend By-law 77-244

Respecting

**FENCES AND GATES AROUND PRIVATE OUTDOOR SWIMMING POOLS**

**WHEREAS** paragraph 30 of Section 210 of the Municipal Act, R.S.O. 1990, Chapter M.45 provides,

"For requiring owners of privately-owned outdoor swimming pools to erect and maintain fences and gates around such swimming pools, for prescribing the height and description of, and the manner of erecting and maintaining, such fences and gates, for prohibiting persons from placing water in privately-owned outdoor swimming pools or allowing water to remain therein unless the prescribed fences and gates have been erected, for requiring the production of plans of all such fences and gates, for the issuing of a permit certifying approval of such plans without which permit no privately-owned outdoor swimming pool may be excavated for or erected and for authorizing the refusal of a permit for any such fences or gates that if erected would be contrary to any by-law or the municipality.

- (a) A by-law passed under this paragraph may be made applicable to the whole municipality or to one or more defined areas thereof as set out in the by-law. R.S.O. 1980, c. 302, s. 210, pars. 22, 23."

**AND WHEREAS** By-law No. 77-244 was enacted by The Corporation of the City of Hamilton on September 27, 1977;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, on August 31, 1993, in adopting Item 7 of the 13th Report of the Planning and Development Committee authorized this by-law;

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause (a) of Section 1 is repealed and the following is substituted in lieu.

"1.(a) "Chief Building Official" means the Chief Building Official appointed by Council under Section 3 of the Building Code Act, S.O. 1992, Chapter 23."
2. Sections 2 and 3 of By-law 77-244 are repealed.
3. Subsection (4) of Section 5 is amended by replacing the words "chief official", appearing in the fourth line, with "Chief Building Official".
4. Section 7 is repealed and the following is substituted in lieu:

5. Section 8 is repealed and the following is substituted in lieu:

- "8. Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to the penalties specified by Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33."

day of

, 1993.

MAYOR

(1993) 13 R.P.D.C. 7, August 31



BY-LAW NO. 93 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 31ST DAY OF AUGUST A.D., 1993.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this            31st                            day of    August                            A.D. 1993

CITY CLERK

MAYOR

URBAN/MUNICIPAL  
CA4 ON HBL AOS  
A31  
1993



The Urban/Municipal Collection  
2nd Floor  
Hamilton Public Library

MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1993 September 28  
7:30 o'clock p.m.  
Council Chambers, City Hall

URBAN M  
SEP 1993  
GOVERNMENT DOCUMENTS

J. J. Schatz  
City Clerk

AGENDA

1. *National Anthem*

2. *Opening Prayer*

Father Mike Myroniuk  
Holy Family Roman Catholic Church

3. *Proclamations*

- (a) "Ontario Home Week" - September 26th to October 2nd, 1993
- (b) "Waste Reduction Week" - October 4th, 1993
- (c) "Celiac Week" - October 3rd to 9th, 1993

4. *Minutes*

- (a) 1993 August 31
- (b) 1993 September 21 - Special Meeting



5. *Petitions and Correspondence*
6. *Reports of the Standing Committees*
  - (a) *Transport and Environment Committee*
  - (b) *Parks and Recreation Committee*
  - (c) *Planning and Development Committee*
  - (h) *Finance and Administration Committee*
7. *Notices of Motion for Next Meeting*
8. *First Reading of the Bills*
9. *Second Reading of the Bills - Committee of the Whole*
10. *Third Reading of the Bills*
11. *Question Period*
12. *Adjournment.*





**M I N U T E S**



Minutes of Hamilton City Council  
1993 August 31  
7:30 o'clock p.m.  
Council Chambers, City Hall

The Council met:

Present: Mayor Robert M. Morrow  
Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson,  
Eisenberger, Agostino, Charters, Jackson, Anderson, Ross, D'Amico.

Absent: Alderman H. Merling - civic business

Mayor R. M. Morrow called the meeting to order.

\* \* \* \* \*

The National Anthem was sung by Cory Steenkist.

\* \* \* \* \*

Father Mike Myroniuk, Holy Family Roman Catholic Church led Council in Prayer.

\* \* \* \* \*

Mayor R. M. Morrow presented a Certificate of Recognition to Shelagh Freedman.

Mayor R. M. Morrow presented a Certificate of Retirement to Thomas Coady.

\* \* \* \* \*

The minutes of the Regular meeting of 1993 July 30 and the Special meetings of 1993 July 30 and August 9 were adopted as circulated.

\* \* \* \* \*

<b>CORRESPONDENCE</b>
-----------------------

1. Letter dated 1993 August 26 from Reverend David Shepherd, Bethel Gospel Tabernacle requesting the changing of the celebration of Halloween from Sunday, October 31, 1993 to Saturday, October 30, 1993.

**Recommendation:** Referred to the Finance and Administration Committee.

2. Application dated 1993 July 23 from the Hamilton-Wentworth Roman Catholic Separate School Board, Hamilton, Ontario for a change in zoning from "J" (Light and Limited Heavy Industry, etc.) District, modified to "DE-3" (Multiple Dwellings) District modified for lands located at No. 687 King Street East, Hamilton, Ontario.

**Recommendation:** Received.

3. Application dated 1993 August 4 from Mr. Jorge Mota, Hamilton, Ontario for a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations for property located at No. 1042 Barton Street East, Hamilton, Ontario.

**Recommendation:** Received.

4. Application dated 1993 August 5 from Benemar Construction Inc. and the City of Hamilton for a change in zoning from "RT-20" (Townhouse-Maisonette) District modified to "AA" (Agricultural) District for Block "1" and from "AA" (Agricultural) District modified to "RT-20" (Townhouse-Maisonette) District for Block "2", for lands located east of Upper Wentworth Street and north of Vineberg Drive, Hamilton, Ontario.

**Recommendation:** Received.



5. Application dated 1993 August 16 from Investland Corporation Limited, Hamilton, Ontario for an amendment to the Official Plan Amendment to establish a "Special Policy Area" to permit a retail warehouse within the "industrial" designation, and for modifications to the established "JJ" (Restricted Light Industrial) District regulations (Block "1") and to the "KK" (Restricted Heavy Industrial) District regulations (Block "2") for property located at No. 8 Burford Road.

**Recommendation: Received.**

6. Application dated 1993 August 25 from Mike Ilich, Stoney Creek for a change in zoning from "DE" (Low Density Multiple Dwellings) District to "H" (Community Shopping and Commercial, etc.) District for property located at No. 280 Weir Street North, Hamilton, Ontario.

**Recommendation: Received.**

7. Letter dated 1993 July 30 from S. G. Hollowell, Acting City Clerk respecting objections to By-law No. 93-143 respecting property at 29 Severn Street, Hamilton, Ontario. (previously distributed).

**Recommendation: Received.**

8. Letter dated 1993 August 26 from S. G. Hollowell, Acting City Clerk respecting objections to By-law No. 93-168 respecting property at 260-280 King Street East, Hamilton, Ontario.

**Recommendation: Received.**

9. Letter dated 1993 August 26 from S. G. Hollowell, Acting City Clerk respecting objections to By-law No. 93-163 respecting property south of Mud Street and West of Upper Mount Albion Road, Hamilton, Ontario.

**Recommendation: Received.**

10. Letter dated 1993 August 30 from Local 288 of the International Association of Fire Fighters requesting a deferral of a recommendation before City Council respecting the Social Contract.

**Recommendation: Received.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Mayor's Report, and the Finance and Administration Committee, be now considered in Committee of the Whole with Alderman Drury in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: -0.

**CARRIED.**

<b>TRANSPORT AND ENVIRONMENT COMMITTEE - ELEVENTH REPORT</b>
--

**Section 36 Re: Closure and sale of a portion of Beckley Street**

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter as Alderman Jackson and his spouse operate a business in the immediate area.

\* \* \* \* \*

**Section 40 Re: Meter charges - Provincial Sales Tax - Central Business District**

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter as Alderman Jackson and his spouse operate a business in the Central Business District.

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman Morelli that Rule. No. 8 of the City's Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution dealing with the acceptance of title to a portion of the former C.P. Rail right-of-way crossing Leland Street. **CARRIED.**

It was moved by Alderman Agro and seconded by Alderman Morelli that the following be added as Section 42 of the Eleventh Report for 1993 of the Transport and Environment Committee for 1993:

42. (a) That the City accept title from C.P. Rail (Toronto, Hamilton & Buffalo Railway) to that portion (Parts 3 and 4, Plan 62R-11315) of the former C.P. Rail right-of-way as it crosses Leland Street for the price of \$1.00.
- (b) That the Commissioner of Transportation/Environmental Services be authorized to prepare a by-law to incorporate the said land into Leland Street.

**CARRIED.**

<p><b>PARKS AND RECREATION COMMITTEE - FIFTEENTH REPORT</b></p>
---

**Section 13 Re: Parking Permit - 136-144 Cannon Street**

Recorded vote.

YEAS: Aldermen Cooke, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Mayor Morrow, Aldermen Kiss, Agro. -3.

**CARRIED.**

**PLANNING AND DEVELOPMENT COMMITTEE - THIRTEENTH REPORT**

**Section 23 Re: Resolution - Town of Lindsay**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

**NAYS:** Aldermen Kiss, Copps, Wilson. -3.

**CARRIED.**

**MAYOR'S REPORT - SECOND REPORT**

**FINANCE AND ADMINISTRATION COMMITTEE - FIFTEENTH REPORT**

**Section 5 (c) Re: Fire Fighters Association - Social Contract**

It was moved by Alderman Ross and seconded by Alderman Cooke that the following be added as Sub-Section (c) of Section 5 of the Fifteenth Report for 1993 of the Finance and Administration Committee:

"That the Commissioner of Human Resources reaffirm to the Fire Fighters Association our willingness to negotiate permanent alternatives which will achieve the targeted 1993 to 1996 savings."

\* \* \* \* \*



**Section 13 Re: Use of Council Chambers - Canada 125 Commemorative Medals**

Alderman Copps declared personal interest in, took no part in the debate and refrained from voting on this matter as Sheila Copps is Alderman Copps' daughter.

\* \* \* \* \*

**Section 25 Re: Committee Rooms at City Hall**

It was moved by Alderman Agostino and seconded by Alderman Kiss that section 25 of the Fifteenth Report of the Finance and Administration Committee be amended to read:

"That with respect to the use of Committee Rooms at City Hall, that priority be given to activities associated with or sponsored by City Council, a Civic Department or Committee of Council."  
**CARRIED.**

<p><b>FINANCE AND ADMINISTRATION COMMITTEE - SIXTEENTH REPORT</b></p>
---

**Section 1 Re: Implementation of the Municipal construction contracts - local labour forces policy**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

**NAYS:** Alderman Agostino. -1.

**CARRIED.**



**ACTING MAYOR**

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman T. Jackson be appointed Acting Mayor for the month of September 1993. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Mayor's Report, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**

**ADOPTION OF BILLS**

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-62, A-63, A-64, A-65, A-66, A-67, A-68.  
C-63, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.  
H-51.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Drury in the chair. (second reading).

A-62, A-63, A-64, A-65, A-66, A-67, A-68.  
C-63, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.  
H-51.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

Consideration of the Bills (second reading).

\* \* \* \* \*

It was moved by Alderman Cooke seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-62, A-63, A-64, A-65, A-66, A-67, A-68.  
C-63, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.  
H-51.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-62, A-63, A-64, A-65, A-66, A-67, A-68.  
C-63, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.  
H-51.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**

1993 August 31

\* \* \* \* \*

City Council then adjourned at 8:50 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

---

Mayor R. M. Morrow

J.J. Schatz, City Clerk  
1993 August 31

1993 September 21

Minutes of the Special City Council Meeting  
Tuesday, 1993 September 21  
6:45 o'clock p.m.  
Council Chambers

Present: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the Report of the Finance and Administration Committee with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: -0.

**CARRIED.**

<p><b>FINANCE AND ADMINISTRATION COMMITTEE - SEVENTEENTH REPORT</b> Early Retirement Program</p>
--

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: -0.

**CARRIED.**



**ADOPTION OF BILLS**

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

H-52, A-53.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Mayor Morrow in the chair. (second reading).

A-52, A-53.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**Consideration of the Bills (second reading).**

\* \* \* \* \*

It was moved by Alderman Cooke seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

H-52, H-53.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

H-52, H-53.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: -0.

**CARRIED.**

1993 September 21

\* \* \* \* \*

City Council then adjourned at 6:50 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

---

Mayor R. M. Morrow

J.J. Schatz  
City Clerk

1993 September 21



**CORRESPONDENCE**





### Correspondence

1. Application dated 1993 September 16 from Ned Janjic and Gerda Kugler, Dundas, Ontario for a further modification to the established "H" (Community Shopping and Commercial, etc.) District regulations for property located at Nos. 295-303 York Blvd., Hamilton, Ontario.

Recommendation:

Be Received.









## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **TWELFTH** Report for 1993 and respectfully recommends:

1. (a) That the existing "Permit Parking" regulation on the west side of Mary Street commencing at a point 73 feet south of Brock Street and extending to a point 22 feet southerly therefrom, be removed; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
2. (a) That the existing "No Parking" regulation on the north side of Harrison Avenue between Kenilworth Avenue North and Harmony Avenue be switched to the south side of the street; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
3. (a) That the existing "No Stopping, Wheelchair Loading Only" regulation on the west side of Cheever Street commencing at a point 245 feet south of Birge Street and extending to a point 20 feet southerly therefrom be revised such that it will be in effect from 8:00 a.m. to 12:00 a.m. (midnight); and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
4. (a) That the existing "Taxi Stand" regulation on the north side of Rebecca Street commencing at a point 108 feet east of Ferguson Avenue North and extending to a point 55 feet easterly therefrom be replaced with two one hour parking meters.  
(b) That the City Traffic By-law 89-72 be amended accordingly.

5.
  - (a) That the existing "No Parking, 9:00 a.m. to 12:00 p.m., Monday to Friday" regulation on the south side of Kerr Street between East 44th Street and East 45th Street be removed; and
  - (b) That the existing "No Parking, 9:00 a.m. to 12:00 p.m., Monday to Friday" regulation on the north side of Kerr Street between East 44th Street and Greenmeadow Road be removed; and
  - (c) That the existing "No Parking, 9:00 a.m. to 12:00 p.m., Monday to Friday" regulation on the west side of East 45th Street between Kerr Street and Brucedale Avenue East be removed; and
  - (d) That the City Traffic By-law 89-72 be amended accordingly.
6.
  - (a) That the existing 48 foot "No Parking" regulation on the north side of Herkimer Street, immediately west of Kent Street, be replaced with a "No Stopping" regulation, commencing at Kent Street and extending to a point 68 feet westerly therefrom; and
  - (b) That the existing "No Parking" regulation on the south side of Herkimer Street, immediately west of Kent Street, be replaced with a "No Stopping" regulation commencing at Kent Street and extending to a point 68 feet westerly therefrom; and
  - (c) That the City Traffic By-law 89-72 be amended accordingly.
7.
  - (a) That the existing "No Stopping Anytime" regulation on the east side of Talbot Avenue commencing at Melvin Avenue and extending to a point 127 feet northerly therefrom be extended, such that the regulation extends to a point 163 feet north of Melvin Avenue; and
  - (b) That the City Traffic By-law 89-72 be amended accordingly.

8.
  - (a) That a "Permit Parking" regulation be implemented on the south and east sides of Bay Street North between Burlington Street West and the east property line of No. 512 1/2 Bay Street North; and
  - (b) That a "Permit Parking" regulation be implemented on both sides of Wood Street between Burlington Street West and Bay Street North; and
  - (c) That the Director of Traffic Services be authorized to issue on the south side of Bay Street North between Burlington Street West and Wood Street, upon request, two parking permits per residence to Nos. 74, 76, 80 and 82 Burlington Street West, and No. 492 Bay Street North, and one permit to No. 84 Burlington Street West, to a maximum of eleven permits; and
  - (d) That the Director of Traffic Services be authorized to issue on the west side of Wood Street between Burlington Street West and Bay Street North, upon request, two parking permits per residence to No. 61 Wood Street and No. 502 Bay Street North, and one permit to No. 70 Burlington Street West, to a maximum of five permits; and
  - (e) That the Director of Traffic Services be authorized to issue on the east side of Wood Street between Burlington Street West and Bay Street North, upon request, two parking permits per residence to No. 68 Wood Street and No. 506 Bay Street North to a maximum of four permits; and
  - (f) That the Director of Traffic Services be authorized to issue on the south side of Bay Street North between Wood Street and the east property line of No. 512 1/2 Bay Street North, upon request, one parking permit per residence to Nos. 508 and 512 1/2 Bay Street North and two parking permits to No. 508 Bay Street North to a maximum of four permits; and
  - (g) That the City Traffic By-law 89-72 be amended accordingly.
9.
  - (a) That the existing "Alternate Side Parking" regulation on Crosthwaite Avenue North between Britannia Avenue and Cannon Street East be replaced with a "No Parking" regulation on the west side and a "Permit Parking" regulation on the east side; and
  - (b) That the Director of Traffic Services be authorized to issue one parking permit per residence to Nos. 165, 166, 170 and 172 Crosthwaite Avenue North and No. 264 Britannia Avenue and the additional permit (to a maximum of six) on a first come first served basis; and
  - (c) That the City Traffic By-law 89-72 be amended accordingly.



10. (a) That the existing "Alternate Side Parking" regulation on the north leg of Montmorency Drive from end to end be replaced with a "No Parking" regulation on the south side; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
11. (a) That a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented on the east side of Spring Street between Hunter Street East and Jackson Street East; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
12. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first six eligible applicants residing in the apartment building at No. 611 Concession Street.
13. (a) That a "Permit Parking" regulation be implemented on the east side of Bond Street South commencing at a point 52 feet south of Marion Avenue and extending to a point 22 feet southerly therefrom; and  
(b) That the Director of Traffic Services be authorized to issue one parking permit to Cornelia Prins, No. 95 Bond Street South; and  
(c) That the City Traffic By-law 89-72 be amended accordingly.
14. (a) That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the east side of East 27th Street between Halam Avenue and Mackenzie Road be replaced by a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
15. (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Whitney Avenue which commences 117 feet west of Mericourt Road and extends to a point 137 feet westerly therefrom, be changed to a "One Hour Parking Time Limit, 8:00 a.m. to 11:00 p.m., Monday to Saturday" regulation; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.

16.
  - (a) That northbound traffic on Glen Forest Drive be required to stop for eastbound and westbound traffic on Kingswood Drive; and
  - (b) That eastbound traffic on Glencannon Drive be required to stop for northbound and southbound traffic on Glen Forest Drive; and
  - (c) That three-way stop control be implemented at the intersection of Glen Forest Drive and Golfcrest Road; and
  - (d) That the City Traffic By-law 89-72 be amended accordingly.
17.
  - (a) That westbound traffic on Southampton Drive be required to stop for northbound and southbound traffic on Deerborn Drive; and
  - (b) That the City Traffic By-law 89-72 be amended accordingly.
18.
  - (a) That northbound and southbound traffic on Glendale Avenue North be required to stop for eastbound traffic on Morris Avenue.
  - (b) That the City Traffic By-law 89-72 be amended accordingly.
19.
  - (a) That southbound traffic on Norma Jean Avenue be required to stop for eastbound and westbound traffic on Eaglewood Drive; and
  - (b) That the City Traffic By-law 89-72 be amended accordingly.
20.
  - (a) That northbound and southbound traffic on Eleanor Avenue be required to stop for eastbound and westbound traffic on Dulgaren Street; and
  - (b) That northbound and southbound traffic on Eleanor Avenue be required to stop for eastbound and westbound traffic on Brenda Street; and
  - (c) That the City Traffic By-law 89-72 be amended accordingly.
21.
  - (a) That a "No Parking" regulation be implemented on the south and west sides of Solomon Crescent commencing at a point 126 feet east of Jamie-Ann Court and extending to a point 180 feet southeasterly therefrom; and
  - (b) That westbound traffic on Solomon Crescent (north leg) be required to stop for northbound and southbound traffic on Solomon Crescent (west leg); and
  - (c) That northbound traffic on Aries Court be required to stop for eastbound and westbound traffic on Solomon Crescent; and
  - (d) That the City Traffic By-law 89-72 be amended accordingly.



22. That the application of 414028 Ontario Limited to lease a portion of the boulevard of Canada Street adjacent to Nos. 106 and 108 Canada Street be approved, provided that:
- (a) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$59.57 per space per year for the first two spaces and \$29.79 for any additional spaces up to ten) plus taxes, if any, in addition to the \$10. encroachment insurance charge approved by the City Council on 1984 February 14.
  - (b) the owner pays a one time \$50. registration fee, as approved by the City Council on 1986 January 14.
  - (c) the owner pays a one time \$191.24 (including G.S.T.) processing fee, as approved by the City Council on 1988 January 12.
  - (d) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.
  - (e) the driveway approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
  - (f) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
23. (a) That an Offer to Purchase, executed by Regional Officials on 1993 August 25, and scheduled for closing on or before 1993 November 8, for the purchase by the Region of the lands composed of part of Lot 10, Concession 7, formerly in the geographic Township of Barton, now in the City of Hamilton, shown as Part 3 on Plan 62R-12601, containing 1,343.8 square metres (0.332 acres) more or less, be approved and completed and the funds derived from this sale of \$33,200. be credited to Account No. CH4X501 00201 (Reserve Fund - Acquisition of Parklands). Subject property is located on the east side of Upper Wentworth Street, south of Limeridge Road East and forms part of T. B. McQuesten Park.
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.

24. (a) That an Offer to Purchase, duly executed by the abutting homeowners, Terry Grant Oikawa and Carol Anne Oikawa, on 1993 August 17, and scheduled to close within thirty (30) days of the completion of the conditions as set out in the Agreement, but in any event no later than 1995 October 5, for the purchase of the lands described as part of the alley lying south of Lots 221, 222 and 223 in the block bounded by Brunswick, Barton and Osborne Streets and Melvin Avenue, Registered Plan 593 (Centennial Park Survey), more particularly described as having a width of 1.524 metres (5.0 feet) more or less, by a length of 10.668 metres (35.0 feet) more or less, and comprising a total area of 16.257 square metres (175.0 square feet) more or less, designated as Part 1, on Reference Plan 62R-11618, and lying directly south of municipal address 2054 Barton Street East, be approved and completed and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
25. (a) That an Offer to Purchase, duly executed by the abutting homeowner, Anne Callen Geeling, on 1993 August 17, and scheduled to close within thirty (30) days of the completion of the conditions as set out in the Agreement, but in any event no later than 1995 October 5, for the purchase of the lands described as part of the alley lying south of Lots 221, 222 and 223 in the block bounded by Brunswick, Barton and Osborne Streets and Melvin Avenue, Registered Plan 593 (Centennial Park Survey), more particularly described as having a width of 1.524 metres (5.0 feet) more or less, by a length of 10.668 metres (35.0 feet) more or less, and comprising a total area of 16.257 square metres (175.0 square feet) more or less, designated as Part 5, on Reference Plan 62R-11618, and lying directly south of municipal address 2062 Barton Street East, be approved and completed and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

26. (a) That an Offer to Purchase, duly executed by the abutting homeowners, Michelle Marie Alderson and Sherry Dawn Alderson Williston, on 1993 August 13, and scheduled to close within thirty (30) days of the completion of the conditions as set out in the Agreement, but in any event no later than 1995 October 5, for the purchase of the lands described as part of the alley lying south of Lots 221, 222 and 223 in the block bounded by Brunswick, Barton and Osborne Streets and Melvin Avenue, Registered Plan 593 (Centennial Park Survey), more particularly described as having a width of 1.524 metres (5.0 feet) more or less, by a combined length of 32.004 metres (105.0 feet) more or less, and comprising a total area of 48.772 square metres (525.0 square feet) more or less, designated as Parts 2, 4 and 6 on Reference Plan 62R-11618, and lying directly north of municipal address 334 Brunswick Street, be approved and completed, and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
27. (a) That an Offer to Purchase, duly executed by Bruce Redford Roussey, on 1993 August 30, and scheduled to close thirty (30) days after the enactment and registration of a by-law to stop up, close and sell the public walkway extending from the east side of Janet Court to the western extremity of Janet Court, for the lands composed of all of Block 43, Plan 62M-575, more particularly described as having a perpendicular width of 4.5 metres (14.76 feet) more or less, having a frontage of 4.714 metres (15.46 feet) more or less, along the easterly limit of Janet Court between municipal addresses 71 and 75 Janet Court, by a depth of 28.071 metres (92.096 feet) more or less, along the northerly boundary and 29.394 metres (96.43 feet) more or less, along the southerly boundary, and comprising a total area of 128.7 square metres (1,385.36 square feet) more or less, save and except the most easterly 0.3048 metres (1 foot), be approved and completed, and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Sale of Lands - Reserve for Property Purchases).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.



28. (a) That the construction of a concrete alley between Fairfield Avenue North and Paling Avenue from Britannia Avenue to the north limit of 226 Fairfield Avenue North and 255 Paling Avenue proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of \$20,000. with a City's Share of \$8,924. and an Owner's Share of \$11,076. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received.
29. (a) That the following City lands be incorporated into the street in order to complete the final street width or to provide access and hook-up:
- |                  |                                    |                                    |
|------------------|------------------------------------|------------------------------------|
| Rambo Street     | Parts 1 and 2                      | Plan 62R-11178                     |
| Acadia Drive     | Block 39                           | Plan 62M-715                       |
| Elite Drive      | Block 40                           | Plan 62M-715                       |
| Bow Valley Drive | Portion of Parts 7 and 8           | Plan 62R-8380                      |
| Highridge Avenue | Portion of Parts 7 and 8<br>Part 2 | Plan 62R-8380 and<br>Plan 62R-9499 |
- (b) That the by-laws to carry out the incorporation of the said lands into the foregoing streets be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
30. That City Council enact the by-law to authorize construction of local improvements of finished roadway and concrete curbs on Dulgaren Street from Upper Sherman Avenue to approximately 72 m easterly.

31.
  - (a) That approval be given to enter into a contract with K. G. Baird General Contracting Ltd. in the amount of \$83,670. for renovations to the Ferguson Yard Staff Facilities Building. Necessary funds are available in Account No. CF5200 609341013.
  - (b) That a contract be entered into, satisfactory to the City Solicitor.
  - (c) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.
32.
  - (a) That a four-way stop control be implemented at the intersection of Paisley Avenue South and South Oval; and
  - (b) That a "No Stopping" regulation be implemented on the west side of Paisley Avenue South commencing at South Oval and extending to a point 56 feet southerly therefrom; and
  - (c) That the City Traffic By-law 89-72 be amended accordingly.
33.
  - (a) That the Tree Planting - Bare Root Centre No. 60404 and the Tree Planting - Large Caliper Centre No. 60402 item lines in the Public Works Department Streets Budget, not be considered as possible reduction packages during the 1994 current budget submissions so that the City of Hamilton can be eligible for an equal cost sharing program up to \$100,000. sponsored by Green Streets Canada - Municipal Tree Planting Recognition Program.
  - (b) That the Mayor and City Clerk be authorized on behalf of City Council to enter into an agreement with Tree Plan Canada (Green Streets Canada) confirming the City's commitment to the program in accordance with criteria as outlined in Appendix "A" attached hereto.
  - (c) That the City Solicitor be authorized to prepare any required documentation relative to the City of Hamilton's involvement in the Tree Plan Canada (Green Streets Canada) program.
34. That the "Corso Racalmuto" street signs erected on and in addition to the Murray Street signs, from John Street, to Bay Street, be retained permanently.



1993 September 28

35. That leave be granted to introduce the following Bills:

- (a) **Bill A-69** By-law to Incorporate Parts 1 and 2, Plan 62R-11178 into Rambo Street
- (b) **Bill A-70** By-law to Incorporate Block 39, Plan 62M-715 into Acadia Drive
- (c) **Bill A-71** By-law to Incorporate Block 40, Plan 62M-715 into Elite Drive
- (d) **Bill A-72** By-law to Incorporate a portion of Parts 7 and 8, Plan 62R-8380 into Bow Valley Drive
- (e) **Bill A-73** By-law to Incorporate a portion of Parts 7 and 8, Plan 62R-8380 and Part 2, Plan 62R-9499 into Highridge Avenue
- (f) **Bill A-74** By-law to authorize the construction of local improvements without petition under Section 12 of the Local Improvement Act of finished roadway and concrete curbs on Dulgaren Street from Upper Sherman Avenue to approximately 72 m easterly
- (g) **Bill A-75** By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (h) **Bill A-76** By-law to amend Traffic By-law 89-72 to Regulate Traffic

Respectfully Submitted,

Kevin C. Christenson  
Secretary

**ALDERMAN H. MERLING, CHAIRMAN**  
**TRANSPORT AND ENVIRONMENT COMMITTEE**

1993 September 20

Appendix "A" as referred to in  
Section 33 of the TWELFTH Report  
of the Transport and Environment  
Committee for 1993

#### GREEN STREETS CANADA PROGRAM CRITERIA

Description of past tree-planting activities.

Commitment that tree-planting budgets will be proportionate to previous year (Green Streets Canada contribution will increase existing budgets).

Agreement to a 50-50 cost-sharing.

A written commitment to the program from council, signed by the Mayor.

Community must agree to provide technical advice to the program and provide a care and maintenance program for trees planted.

Projects must have a community volunteer component.

Proposal must identify environmental benefits and convey them to the people.

Proposal should involve all tree sizes, from seedlings to whips and saplings to large trees.

Funding can be spread over more than one planting season, but should not exceed two years.

Communities will receive recognition and funding on a one-time basis only but they may still apply in other years as partners under the regular program.

Technical soundness of the proposal is essential.





1993 September 28

**REPORT OF THE PARKS AND RECREATION COMMITTEE**

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SIXTEENTH** Report for 1993 and respectfully recommends:

1.     (a)     That the Director of Public Works be authorized to undertake remedial works in Powell Park at a cost of \$13,000. utilizing the 5% Park Dedication Fund (CH00201).
- (b)     That the 1994 Park Development and Redevelopment Program Capital Budget funding request for Powell Park be reduced by \$13,000.
2.     That approval be given of the action taken by the Director of Culture and Recreation to allow the Inch Park Minor Baseball Association to sell liquor at a fundraising dance to take place at Inch Park Arena on 1993 September 18, subject to the following terms and conditions:
  - (a)     That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, including proof of liquor liability, naming the City as additional insured, be provided.
  - (b)     That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
  - (c)     That the applicant assume responsibility for all labour-related costs as a result of this event.
  - (d)     That the appropriate financial statement be submitted following this event.



3. (a) That an Offer to Purchase, duly executed by Benemar Construction Inc. (Mark DeBenedictis, President) on 1993 August 31, and scheduled for closing on or before 1993 December 7, for the purchase of lands situated in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 9, Concession 1, formerly in the Geographic Township of Glanford, being an irregular shaped vacant parcel of land, having a frontage of 4.433 metres (14.53 feet) more or less, along the northerly limit of Vineberg Drive and containing an area of 0.0069 hectare (0.017 acre) more or less, and designated as Part 2 on Registered Plan 62R-12714, be approved and completed and the funds derived from this sale of \$752. be credited to the following accounts: \$2. to Account No. CH4X501 00201 (Sale - Reserve for Parkland) and \$750. to Account No. CH59050 30001 (Recovery-External, Real Estate Administration).
- (b) That this Offer to Purchase be subject to the City of Hamilton accepting an Option to Purchase, executed by Benemar Construction Inc. (Mark DeBenedictis, President), for the purchase of Part 1, 62R-12714, by the City. The said Option to Purchase and this Offer to Purchase are to be accepted by City Council concurrently, and both properties are to be finalized contemporaneously with each other.
- (c) That the closing of this transfer to Benemar Construction Inc. (Mark DeBenedictis, President) be conditional upon the transfer to the City by Benemar Construction Inc. provided for in the Option to Purchase referred to in sub-section (e).
- (d) That a cash deposit in the amount of \$77. be held by the City Treasurer pending City Council approval.
- (e) That an Option to Purchase, duly executed by Benemar Construction Inc. (Mark DeBenedictis, President), on 1993 August 31, and scheduled for closing on 1993 December 7, for the sale of lands situated in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, being composed of part of Block 1, Registered Plan 62M-721 (known as the Gardens of Rymal - Phase 2), being an irregular shaped vacant parcel of land, comprising of an area of 0.0069 hectare (0.017 acre) more or less, and designated as Part 1 on Registered Plan 62R-12714, be approved and completed and the purchase price of \$2. be charged to Account No. CH5X306 00201 (Purchase - Reserve for Parkland).

- (f) That this Option to Purchase be subject to the City of Hamilton accepting an Offer to Purchase, executed by Benemar Construction Inc. (Mark DeBenedictis, President), for the purchase of Part 2, 62R-12714 by Benemar Construction Inc. The said Offer to Purchase and this Option to Purchase are to be accepted by City Council concurrently, and both properties are to be finalized contemporaneously with each other.
  - (g) That the closing of this transfer to the City be conditional upon the transfer to Benemar Construction Inc. provided for in the Offer to Purchase referred to in sub-section (a).
  - (h) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
- 4. That the Mayor and City Clerk be authorized and directed to execute a Crossing Agreement with TransCanada PipeLines Limited, in a form satisfactory to the City Solicitor, for the lands situated in the City of Hamilton, being part of Lot 55, Concession 2, to provide driveway access to a proposed parking lot located east of Scenic Drive.
  - 5. That approval be given to the wording of a commemorative plaque as outlined in Appendix "A" attached hereto for Stewart Memorial Church (formerly St. Paul's African Methodist Episcopal Church).
  - 6. (a) That Jude Johnson be approved as the 1993 recipient of the Hamilton Arts Award, and;  
(b) That the annual Hamilton Arts Award grant in the amount of \$500. be awarded to Ms. Johnson at the Proclamation Day Ceremonies for Arts Awareness Month on Wednesday, 1993 September 29. Funds for this award are provided in Account No. CH5A100 20020 - Hamilton Arts Award.
  - 7. That City Council reconfirm its intent of including the potential future use of the James Street North, Canadian National Railway Station, in consultation with Canadian National Railways, within the context of the West Harbourfront Development Steering Committee's Terms of Reference.

**Respectfully Submitted,**

**Kevin C. Christenson**  
Secretary

**ALDERMAN T. JACKSON, CHAIRPERSON**  
**PARKS AND RECREATION COMMITTEE**

1993 September 21

Appendix "A" as referred to in  
Section 5 of the SIXTEENTH Report  
of the Parks and Recreation  
Committee for 1993

## **PROPOSED PLAQUE TEXT**

*Stewart Memorial Church*  
(formerly St. Paul's African Methodist Episcopal Church)  
114 John Street North, Hamilton

**Designated under the Ontario Heritage Act**

Founded circa 1835 as St. Paul's AME Church, Stewart Memorial Church represents the longest surviving predominantly Black congregation within the City of Hamilton. First housed in a log structure on Rebecca Street, just east of John Street North, the congregation acquired its present building in 1879. This modest clapboard church, erected in 1848, was remodelled circa 1905 with a Gothic Revival brick exterior.

One of the most prominent figures in the history of Stewart Memorial Church was the Reverend John C. Holland, who played an instrumental role in keeping the church open when the congregation was faced with financial difficulties during the Depression years. The decision in 1937 to sever ties with the African Methodist Episcopal body resulted in the formation of a non-denominational church, renamed in commemoration of the previous minister, Reverend Claude A. Stewart.

The history of Stewart Memorial Church attests to the importance of the church as both a religious and social centre for Hamilton's community of African descent, beginning with the establishment of the earliest churches following the first influx of fugitive slaves into the Hamilton area in the 1820s.

NOTE: If provincial funding is obtained through the Ontario Heritage Foundation's Local Marking Assistance Program, the following acknowledgement must be added:  
"Erected with the assistance of the Ontario Heritage Foundation".









1993 September 28

## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTEENTH** Report for 1993 and respectfully recommends:

1. That approval be given to Zoning Application 92-25, Anwar Zurar, owner, requesting a change in zoning from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District to permit future development for single-family dwellings, for the property located at 855 Upper Horning Road, as shown on the attached map marked as Appendix "A", on the following basis:
  - (a) That the subject lands be rezoned from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District;
  - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37C for presentation to City Council; and,
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
2. A. That approval be given to Amended Zoning Application 93-09, Frank Toth, Tony Di Franco and Angelo Cocca, owners, requesting changes in zoning from "AA" (Agricultural) District to "B-2" (Suburban Residential) District for Block "1", and to "C" (Urban Protected Residential, etc.) District for Block "2", to permit single-family development, on property located at Nos. 478 and 488 Rymal Road East, shown as Blocks "1" and "2" on the attached map marked as Appendix "B", on the following basis:
  - (a) That Block "1" be rezoned from "AA" (Agricultural) District to "B-2" (Suburban Residential) District;
  - (b) That Block "2" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;

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- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-27E for presentation to City Council; and,
  - (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- B. That approval be given to application 25T-91009, "Arrowhead Heights of Rymal", Frank Toth Construction and Angelo Cocca, owners, to establish a draft plan of subdivision, on lands located south of Rymal Road East and east of Upper Wentworth Street in the Chapel East Neighbourhood, subject to the following conditions:
- (a) That this approval apply to the plan, as revised in red, prepared by J.P. Woolley, O.L.S., dated June 4, 1991, now showing 15 lots for single family dwellings.
  - (b) That Street "A" be established to its full width of 20.00m in front of Lots 1 to 7 (inclusive) and Lots 14 and 15.
  - (c) That sufficient land be dedicated to the Region, for road widening purposes, to establish the property line 18.29 m from the centre line of the original Rymal Road road allowance.
  - (d) That a 2.0m x 2.0m day light triangle be established on the L-shaped corner of Lot 1.
  - (e) That the S-bend curve on Arrowhead Drive, east of Street "A", be revised to accommodate a 250.0 centre line radius transition and a minimum tangent section between the curves of 15.0m (see attached plan).
  - (f) That 0.30m reserves be established at the dead-ends of Street "A" and Arrowhead Drive and along the open side of Street "A", and these 0.30m reserves are to be conveyed to the City of Hamilton.
  - (g) That the Final Plan not be registered until Arrowhead Drive from Upper Wentworth Street to the west limit of this subdivision has been opened by By-law.

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- (h) That the Owner be required to enter into subdivision agreements with both the City of Hamilton and the Region of Hamilton-Wentworth prior to the development of any portion of these lands.
  - (i) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (j) That the final plan conform with the Zoning By-law approved under the Planning Act.
  - (k) That such easements as may be provided for utility or drainage purposes be granted to the appropriate authority.
  - (l) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan.
  - (m) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
  - (n) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton.
  - (o) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton.
- C. That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-91009), Frank Toth, Tony Di Franco and Angelo Cocca, owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.



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3. (a) That in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, City Council appoint the following persons to hold office as a member of the Downtown Promenade B.I.A.:  
  
John Saltis                      Trust Leather  
Angelo Morgante      The Adventure Attic
- (b) That the City Solicitor be authorized and directed to amend By-law No. 93-065 pursuant to (a) above.
4. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, nine hundred and forty-eight dollars, (\$1,948.) be approved for Agnes McEwen, 129 Auburn Avenue, Hamilton. The interest rate will be 8 percent amortized over 5 years.
5. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand three hundred and fifty (\$1,350.) be approved for Audrey Dryden, 76 Knyvet Avenue, Hamilton. The interest rate will be 9 percent amortized over 5 years.
6. That the Building Commissioner be authorized to issue a demolition permit for 283 MacNab Street North.
7. That a Commercial Loan in the amount of fifteen thousand dollars (\$15,000.) be approved for Paul Snider and Shelagh Mary Snider. The interest rate will be 2 7/8 percent amortized over 10 years.
8. That approval be given to Site Plan Control Application DA-93-23 for construction of columbarium at 1895 Main Street West, and that the owner not be required to sign the undertaking on the approved plans nor provide securities for the project, and that notice of the decision be published in accordance with the requirements of the Cemeteries Act.
9. A. That approval be given to amended Zoning Application 93-19, Dr. Steve Marcogliese, owner, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations, to permit a dental office within the existing building, for the property located at No. 792 Upper Gage Avenue, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-Law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
    - i. That notwithstanding Section 9(1) of Zoning By-law No. 6593, the following uses shall be permitted:
      - 1) a dental office, only within the existing building and having a maximum gross floor area of 234.0 m<sup>2</sup> (2519.0 S.F.);
      - 2) an unlighted name plate having an area of not more than 0.2 square metres attached to and, as nearly as practicable, flush with the wall of the dwelling;
      - 3) an unlighted ground sign having an area of not more than 0.74 square metres and shall be located not less than 3.0 m from the nearest street line.
    - ii. That notwithstanding Section 18A.(24)(b)(i) of Zoning By-law No. 6593, the access/egress driveway within the limits of the drive-through garage shall not be less than 4.5 m in width;
    - iii. That notwithstanding Section 18A.(11) of Zoning By-law No. 6593, a minimum 2.0 m wide landscape planting strip shall be provided and maintained along the northerly and westerly lot lines;
  - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1315, and that the subject lands on Zoning District Map E-38 be notated S-1315;
  - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38 for presentation to City Council;
  - (d) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- B. That Site Plan Control By-law No. 79-275, as amended by By-law 87-223, be amended by adding the subject Lands to Schedule "A".



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- C. That the amending By-law not be forwarded for passage by City Council until such time as the applicant has applied for and received approval of a site plan.
10. That approval be given to amended Zoning Application 93-20, Mr. and Mrs. M. Trikas, owners, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District modified, to "G-4" (Designed Neighbourhood Shopping Area) District modified, to permit additional commercial uses, on lands known as 952-954 Concession Street, as shown on the attached map marked as Appendix "D", on the following basis:
- (a) That Section 1 of By-law No. 92-032 applicable to the subject lands be repealed in its entirety.
  - (b) That Section 3 of By-law No. 92-032 applicable to the subject lands be amended by removing the words "'C' District and" in the third line, and remove the "s" at the end of the word "sections", and "1 and" in the fourth line, so that this Section will now read as follows:

"No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-3" District provisions, subject to the special requirements referred to in section 2."
  - (c) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District modified, to "G-4" (Designed Neighbourhood Shopping Area) District.
  - (d) That the "G-4" (Designed Neighbourhood Shopping Area) District regulations contained in Section 13D of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:
    - i. Notwithstanding Section 13D(1), the uses shall be permitted within the existing building only;
    - ii. Notwithstanding Section 13D(1)(B), the following additional commercial uses shall be permitted within the existing building only:
      - a business or professional person's office;

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- a judo/karate club;
  - a video store;
  - a florist;
  - a drapery and blinds store;
  - a pet store; and,
  - a self-service laundry.
- iii. Notwithstanding Section 13D(1)(B), the following commercial uses shall be prohibited:
- a restaurant or refreshment room;
  - an outdoor patio; and,
  - a gun shop.
- iv. Section 18A(27) of By-law No. 6593 shall not apply.
- (e) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1214a, and the subject lands on Zoning District Map E-35 be notated S-1214a;
- (f) The City Solicitor be directed to prepare a By-law to amend By-law No. 6593 and Zoning District Map E-35 for presentation to City Council; and,
- (g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
11. That approval be given to Zoning Application 93-18, 304 Victoria Ave. N. Holdings Ltd., (Dr. N. Gagic, President), owner, requesting a further modification to the established "H" (Community Shopping and Commercial, etc.) District regulations, to permit an accessory coffee shop use to be located within the basement of the existing building, located at No. 304 Victoria Avenue North, as shown on the attached map marked as Appendix "E", on the following basis:

- (a) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593, as amended by By-Law No. 86-121, applicable to the subject lands, be further modified to include the following variances as special requirements:
- (b) That Subsection (c) of Section 2. of By-Law No. 86-121 be repealed in its entirety and substituted with a new Subsection (c) as follows:
  - i. notwithstanding subsection 14(1) of By-Law No. 6593, the use of the basement shall be limited to the following:
    - (i) Accessory Uses:
      - 1. a restaurant (coffee shop), provided that:
        - a) it shall have a maximum gross floor area of 65 m<sup>2</sup>;
        - b) it shall have access only from within the interior of the building; and
        - c) no indication of the existence or availability of any such use whether by way of a sign, display, or otherwise shall be visible from the outside of the building.
      - 2. storage and utilities.
- (c) That subsection (f) of Section 2. of By-Law No. 86-121 be amended by deleting the word "and" after 4(c), and adding the phrase "and 4(f)" after 4(i), all in the second line, so that it reads as follows:
  - (f) notwithstanding paragraphs 4(a), 4(c), 4(i) and 4(f) of Table 1 of clause 18A(1)(a) of By-Law No. 6593, a minimum of 93 parking space shall be provided and maintained;
- (d) That the amending By-Law be added to Section 19B of Zoning By-Law No. 6593 as Schedule S-940a, and that the subject lands on Zoning District Map E-12 be notated S-940a;
- (e) That the City Solicitor be directed to prepare a By-Law to amend Zoning By-law No. 6593, and Zoning District Map E-12 for presentation to City Council;

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- (f) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- 12. That the Building Commissioner be authorized to issue a demolition permit for 105 Park Street North.
- 13. That leave be granted to introduce the following Bill:  
  
C-73 By-law to Change the Name of Gondola Street to Duncairn Crescent.

**RESPECTFULLY SUBMITTED,**

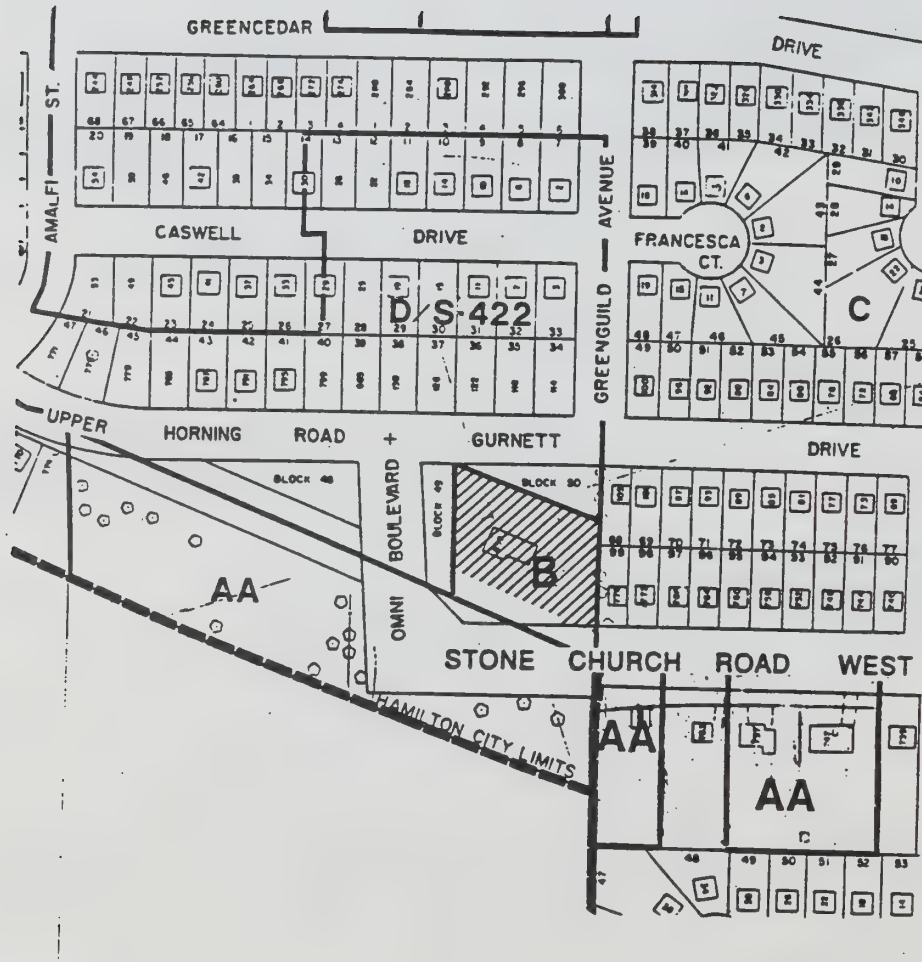
**ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary  
1993 September 22**



1993 September 28

Appendix "A" as referred to  
in Section 1 of the **FOURTEENTH**  
Report of the Planning and  
Development Committee for  
1993



**Legend**



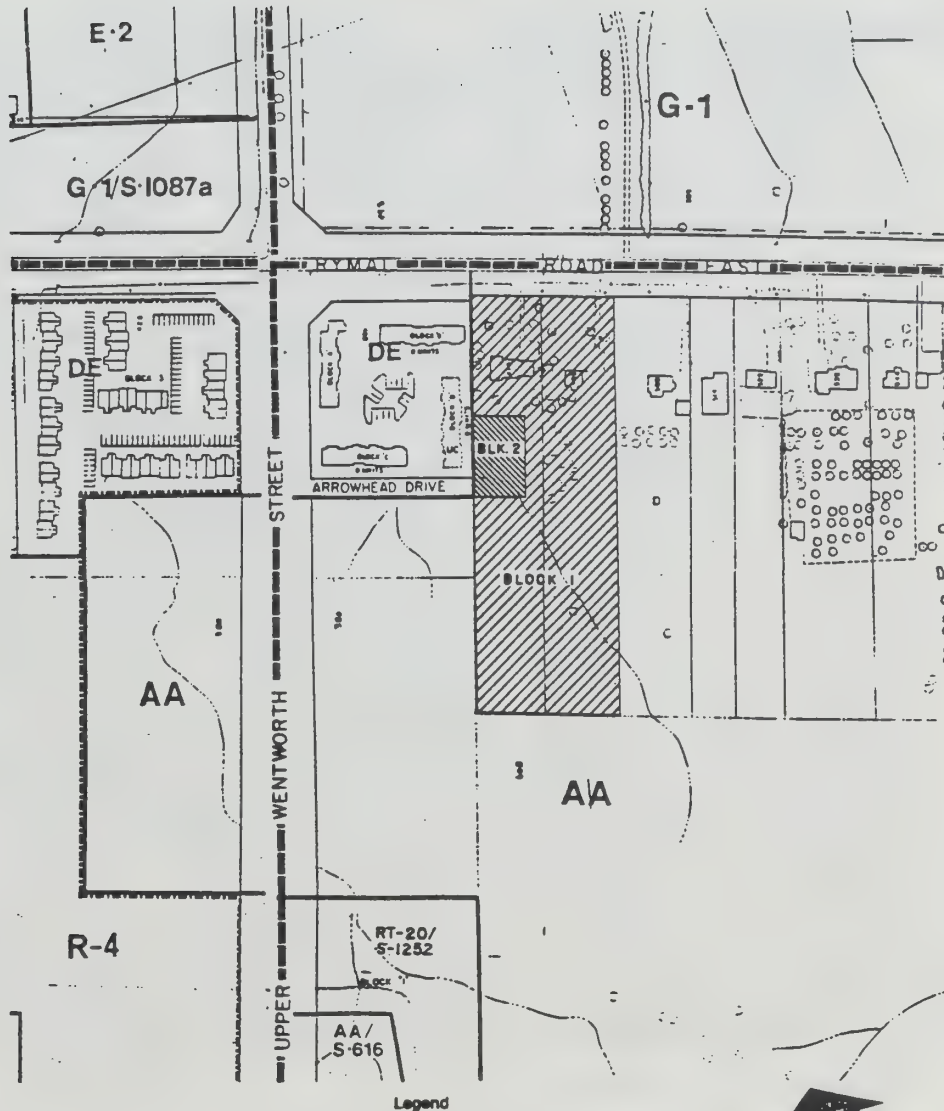
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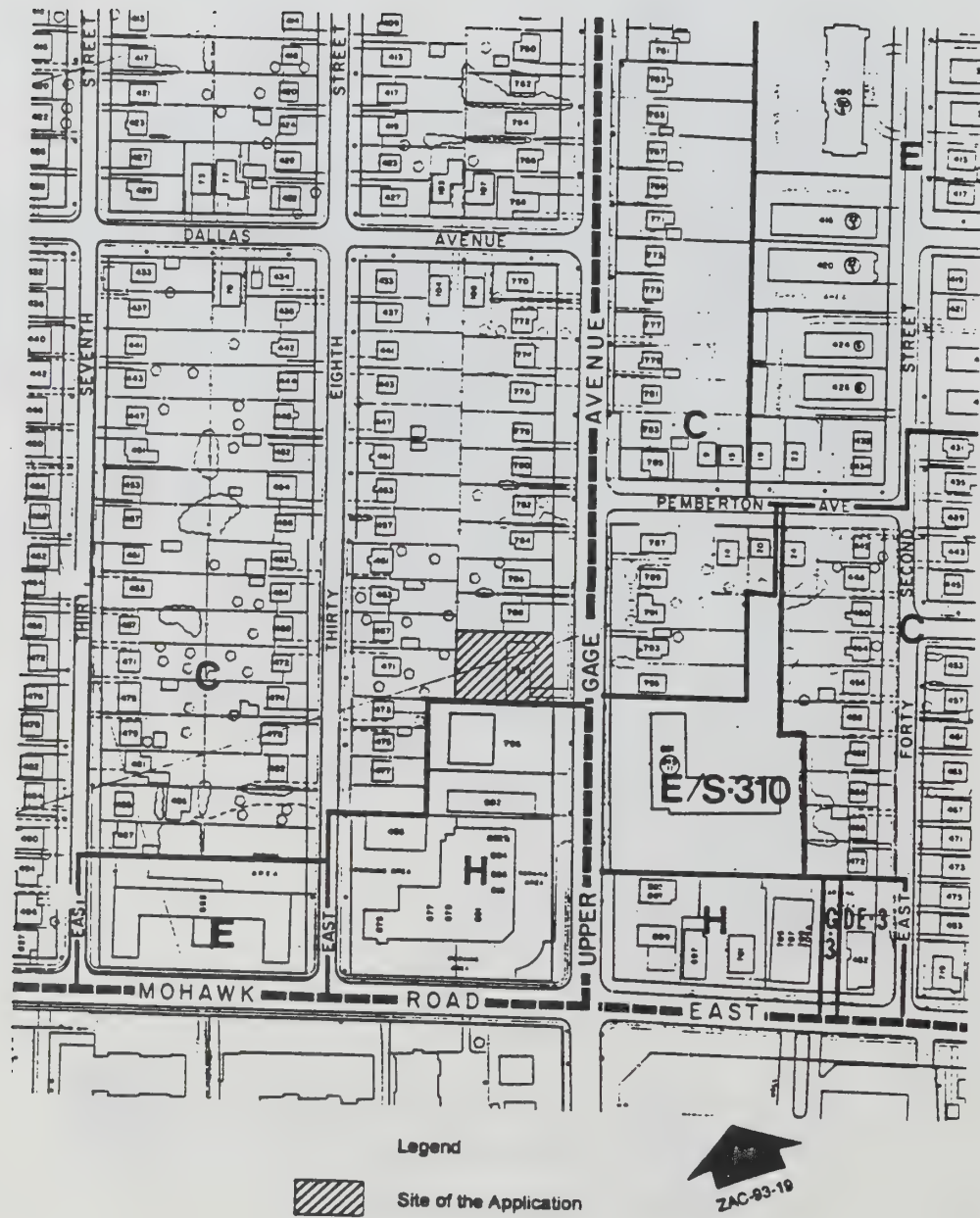
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Appendix "B" as referred to  
in Section 2 of the FOURTEENTH  
Report of the Planning and  
Development Committee for  
1993



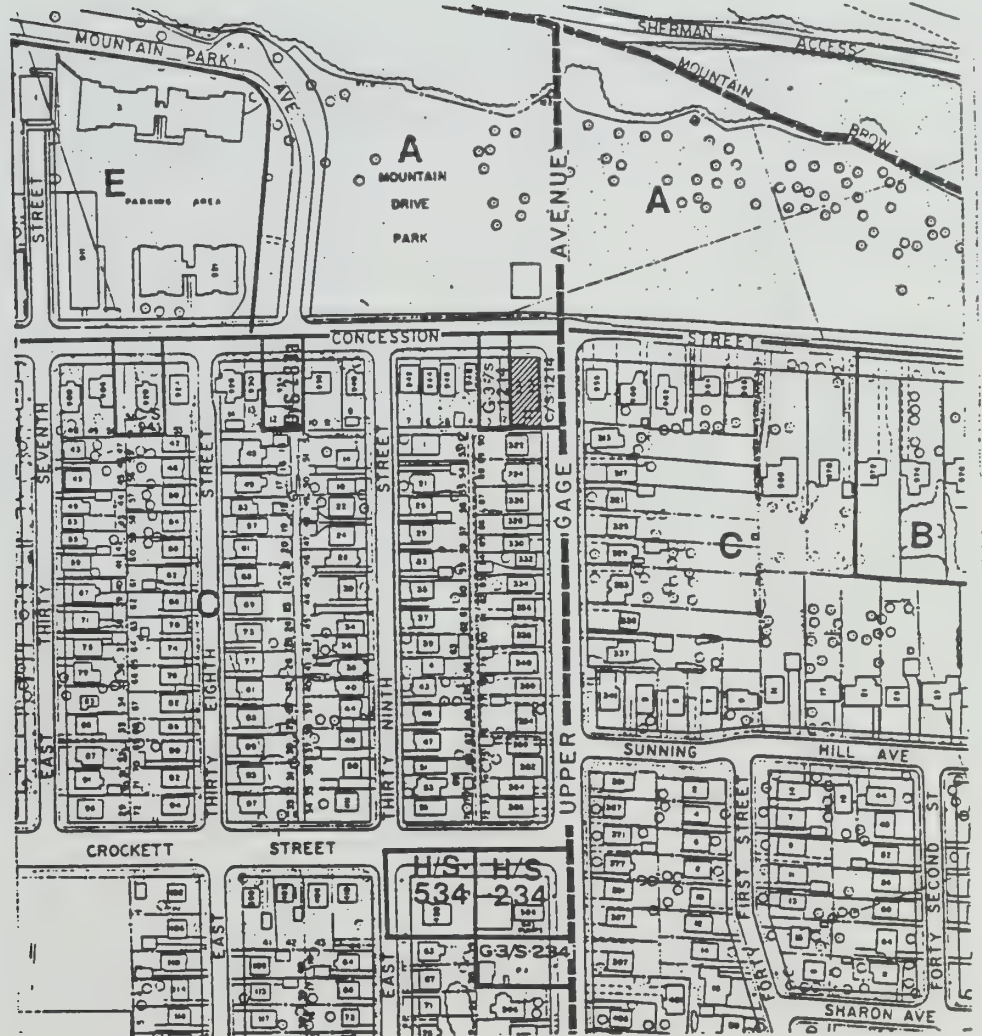
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Appendix "C" as referred to in  
Section 9 of the **FOURTEENTH**  
Report of the Planning and  
Development Committee for  
1993



1993 September 28

Appendix "D" as referred to  
in Section 10 of the FOURTEENTH  
Report of the Planning and  
Development Committee for  
1993



Legend



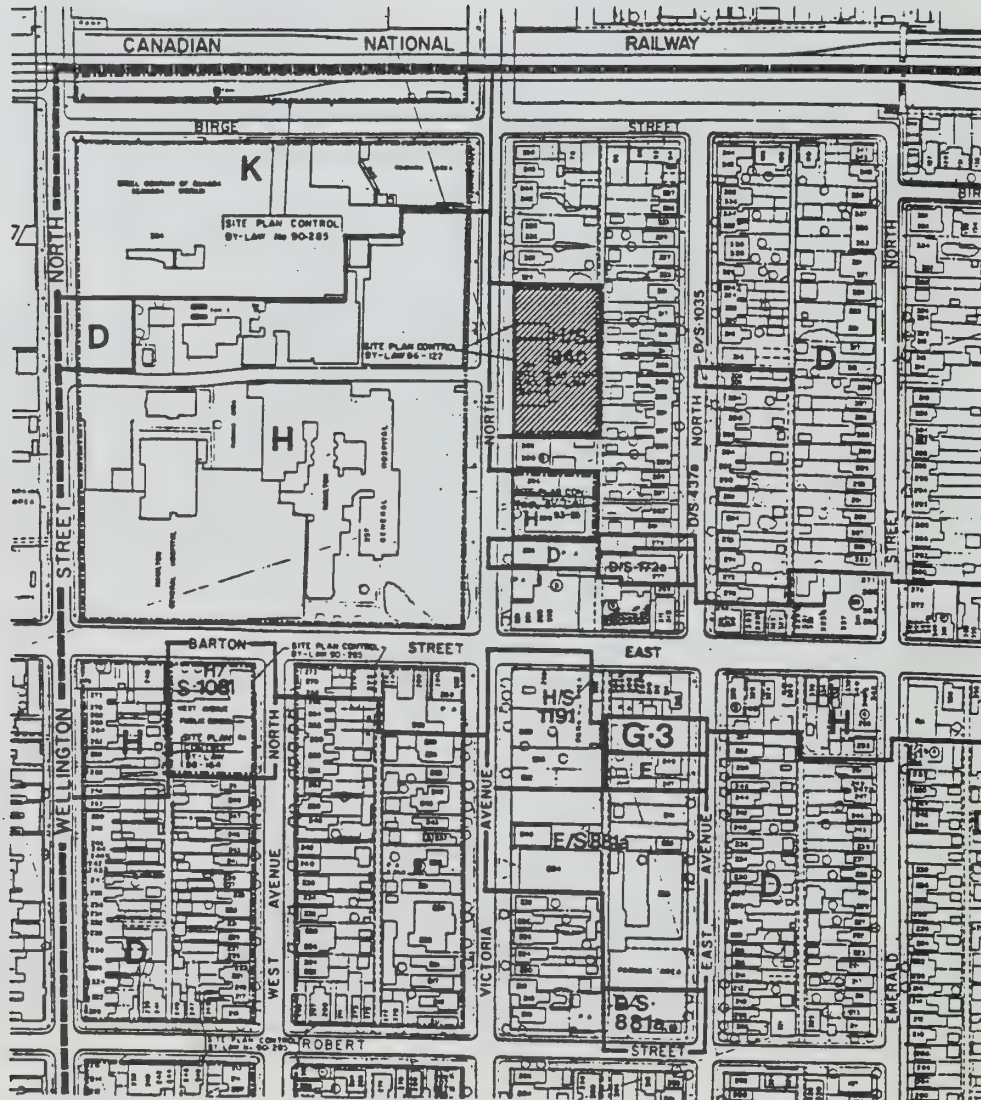
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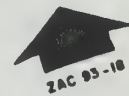
Appendix "E" as referred to  
in Section 11 of the **FOURTEENTH**  
Report of the Planning and  
Development Committee for  
1993



Legend



Site of the Application









1993 September 28

## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **EIGHTEENTH** Report for 1993 and respectfully recommends:

1.     (a)     That City of Hamilton By-law 84-191 be amended so as to permit the keeping of Vietnamese Pot Bellied Pigs as domestic pets; and,  
  
       (b)     That the City Solicitor, in consultation with Alderman D. Drury, the H.S.P.C.A., and other interested parties, be authorized and directed to prepare the appropriate By-law.
2.     That Realty and Business Tax Applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of \$58,720.27 be approved and charged to CH53307-24104 Tax Remissions.
3.     That as referred to in Section 28 of the Twelfth Report for 1993 of the Transport and Environment Committee, the City Solicitor be authorized to prepare an appropriate By-Law to construct an alley between Fairfield Avenue North and Paling Avenue from Britannia Avenue to the north limit of 226 Fairfield Avenue North and 255 Paling Avenue under the Local Improvement Act at an estimated cost of \$20,000., with a City's share of \$8,924. to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$11,076. being the Owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$11,076. for a term not to exceed 20 years for the above project.
4.     That approval be given to the action taken by the City Clerk of advising the Liquor Licence Board of Ontario that the City of Hamilton is aware of, and has no objection, to the issuance of an extension of liquor licence permit to Cricket's Eatery located at 1900 King Street East on Sunday, 1993 September 19th from 7:00 - 11:00 o'clock p.m. for the purpose of holding a fall season "Western Sizzler Night" in conjunction with the Rosedale Business Association.

5. That the Liquor Licence Board of Ontario be advised that the City of Hamilton is aware of the McMaster University Faculty of Health Science and the Chedoke-McMaster Hospitals Foundation Oktoberfest Fundraising Evening being held in support of Bone Marrow Transplant Research on 1993 October 23rd at the H.M.C.S. Star and deems this event to be of municipal significance, and as such does not object to the issuance of a Special Occasion Permit.
6. (a) That Alderman D. Agostino be appointed to serve as the Finance and Administration Committee Representative on the Joint City and Regional Task Force on Roomers and Boarders; and,
  - (b) That Regional Council be advised of this appointment; and,
  - (c) That Regional Council be requested to amend the composition of the Joint City and Regional Task Force on Roomers and Boarders to include representation from the President or his designate of the Municipal Non-Profit (Hamilton) Housing Corporation.
7. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/Committed To Date	Balance Available	Source(s) of Financing
(a) 318241001	Energy Conservation Projects-City Hall	\$730,000.00	\$729,783.32	\$216.68	Reserve for Capital Projects and Capital Levy
(b) 319141001	Major Maintenance to Civic Buildings	750,000.00	749,851.65	148.35	Debenture
(c) 319241002	Major Maintenance to Civic Buildings	300,000.00	299,779.03	220.97	Debenture
<b>TOTAL</b>				<b>\$586.00</b>	

8. That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1993 September 15, attached herewith and marked Appendix "A", be approved.

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9. (a) That the Development Charges Act complainant, C. H. Heist Limited, be refunded \$14,074.57 in development charges due to over payment on the property located at 84 Birmingham Street; and,
- (b) That with respect to the remaining balance of \$3,810.18, that after hearing the evidence and submission of the complainant, C.H. Heist Limited, the Council of the Corporation of the City of Hamilton hereby confirms that the balance of the development charges imposed on the property located at 84 Birmingham Street as having been properly imposed pursuant to the City of Hamilton Development Charges By-law #90-74, as amended.
10. (a) That the salary reclassification for the following non-union positions in the City Clerk's Office be approved in accordance with the recommendation made by City Core Group:

<u>POSITION TITLE</u>	<u>FUNCTION</u>	<u>GRADE</u>	<u>SALARY</u>
(i) Manager, Records Division	Manage the Administrative Division of the City Clerk's Department, prepare and monitor departmental budgets, supervise municipal elections, manage support services for the Aldermen and perform all duties of the City Clerk in his absence in rotation with the Manager, Legislative Services	G	\$62,178.48 - \$73,286.72
(ii) Freedom of Information Officer	Administer the Corporate Records Management Program, Supervise the Records Section of the City Clerk's Department, Supervise the Central Records Centre, Administer the Municipal Freedom of Information and Protection of Individual Privacy Act. Assist in a major way with Municipal Elections. Assist with budget preparation and act as Secretary to the Administrative Team.	L	\$43,484.48 - \$51,205.44



1993 September 28

(iii)		
Administrative Assistant III	To provide secretarial and administrative services to the Manager of Administrative Services and the Manager of Legislative Services	O     \$34,001.76 - \$39,962.52

(b) That the following title changes, resulting from the reorganization, be approved:-

**FROM**

**TO**

(i)	Manager, Records Division	Manager of Administrative Services
(ii)	Freedom of Information Officer	Supervisor of Records/FOI Officer
(iii)	Administrative Assistant III	Administrative Assistant II

11. That the following positions in the Public Works Department be reclassified in the following manner, as recommended by Core Group at its meeting of 1993 May 19.

That these reclassifications go into effect on the date of Council's approval.

<u>Title</u>	<u>Current Level</u>	<u>Proposed Level</u>
(a)		
Superintendent of Facilities	Level I"3" \$56,217.72 - \$66,242.28	Level H"3" \$58,386.12 - \$68,816.28
(b)		
Superintendent of Cemeteries	Level L"3" \$43,484.48 - \$51,205.44	Level J"3" \$53,779.96 - \$63,398.40
(c)		
Manager of Cemeteries (Classified Downward)	Level G \$62,178.48 - \$73,286.72	Level H \$58,386.12 - \$68,816.28

Net change in staff - 1 position deleted (Office Manager - \$43,484.48 - \$51,205.44)



1993 September 28

12. That the complement in the Horticultural Section of Public Works be adjusted as follows:

	<u>Delete</u>	<u>Increase</u>
Gardener II	1	
Tractor Operator	1	
Truck Driver (Parks)	2	
Lead Hand (Parks)	1	
Landscaper		5
Totals:	<u>5</u>	<u>5</u>

Net change in staffing = NIL

13. (a) That the Director of Information Systems be authorized to proceed with the implementation of "Area-wide" Bell Canada Centrex services in the amount of \$11,000. from Account CH56111-26023 (City Phone Charges); and,
- (b) That the City Treasurer be authorized to make telephone budget appropriation changes as required to re-allocate telephone cost allocations from Departments who will have reduced telephone costs to Departments that will experience increased costs; and,
- (c) That the net savings of \$10,000. (estimated) per year be removed from the Telephone Accounts effective 1995 January 1.; and,
- (d) That implementation be subject to the Region of Hamilton-Wentworth contributing their share of the cost (\$11,000.).
14. (a) That, in view of the significant costs associated with the administration of Sub-Committees (in excess of \$500,000. annually) and, in view of the need to reduce the City's overall administrative costs, a Task Force be established to undertake a review and evaluation of the current sub-committee system with the objective of examining and identifying potential cost savings and efficiencies through a possible reduction/amalgamation or reassignment of sub-committees; and,
- (b) That the Task Force be comprised of the Chairperson or Vice Chairperson of each of the four (4) Standing Committees; and,

- (c) That the criteria for the review/evaluation by the Task Force, include, but not be limited to the following:
    - (i) rationalization of costs vs. benefits derived.
    - (ii) reporting and accountability relationships with Standing Committees.
    - (iii) examine alternative mechanisms for providing this service with emphasis on the reduction of non-value added activities and better utilization of resources.
    - (iv) examine how and why activities are done to ensure a sound foundation for rearranging, redesigning and streamlining the sub-committee system.
    - (v) review need for frequency of all meetings including sub-committees which are retained.
    - (vi) evaluate impact of change.
  - (d) That the Task Force be requested to complete its review and submit a proposal/action plan for implementation effective 1994 January 1.
15. That the City of Hamilton adopt a Fair Wage Policy as attached herewith and marked Appendix "B", which would apply on all construction contracts with the City.
16. (a) That the City of Hamilton lease 750 square feet of the mall level portion of Copps Coliseum to The Society of Management Accountants of Canada for storage purposes, subject to the following terms and conditions:
- |              |   |
|--------------|---|
| Property:    | South-East quadrant of retail mall level<br>Copps Coliseum, 101 York Boulevard    |
| Area:        | 750 square feet   |
| (i)<br>Term: | (1.) Five (5) Years<br>Commencing 1993 October 1<br>Terminating 1998 September 30 |

- (2.) If at any time during the lease the Lessor requires the leased space for use as part of a N.H.L. hockey franchise, then upon ninety (90) days written notice, this lease will be automatically terminated.

(ii)

Rental Rate:

- (1.) For five (5) years \$5. per square foot (GROSS), \$3,750. annually, \$312.50 per month, plus G.S.T. and applicable realty and business taxes;
- (2.) First and last month's rent to be received prior to execution of lease.

(iii)

Operating Costs:

Lessor to pay all operating costs associated with leased space (hydro, heat and air) with exception of realty and business taxes.

(iv)

Option to Renew:

At the sole discretion of the Lessor, a five (5) year renewal will be granted if requested by the Lessee, provided all terms of the lease being complied with, and six (6) months prior to the expiry of the initial term, the new rental rate is agreed upon, other terms and conditions (except no renewal clause) to remain the same.

(v)

Tenant Improvements:

The Lessee is responsible, at its own cost,

- (1.) to install all tenant improvements;

All construction drawings (meeting all code requirements) must be submitted to and approved by the Lessor prior to construction.

All work to be carried out in a good workmanlike manner meeting all code requirements.

The first three (3) months are a free rent period to assist in Tenant's construction costs associated with the renovations required.



(vi)

Special Conditions: (1.) That the Lessee, prior to the end of the term and at its own cost, shall (1) remove all alterations, decorations, additions or improvements in or on the leased premises as the Lessor may require to be removed.

(2.) That the Lessee shall not have a right to assign or sublet this lease.

- (b) That the Director of Property, Co-ordinator, Lloyd D. Jackson Square, be directed to apply to the Minister of Municipal Affairs and to C.M.H.C. for approval of the proposed lease; and,
  - (c) That the Mayor and City Clerk be authorized and directed to execute the lease and related agreements in a form satisfactory to the Director of Property, H.E.C.F.I., and the City Solicitor.
17. (a) That Section 23 of the Fifteenth Report of the Finance and Administration Committee, approved by City Council on 1993 August 31, be amended by increasing the area leased from 1,900 square feet to approximately 2,600 square feet with the final area to be confirmed by the Survey Department; and,
- (b) That the rental rates be adjusted accordingly based on a rate of \$4. per square foot (NET); and,
  - (c) That the City Solicitor be authorized to amend the Lease Agreement.
18. (a) That the Treasurer be authorized and directed to:
- (i) Prepare a "request for proposal for the collection of business taxes" to be circulated to the various collection agencies and bailiffs with a view of reviewing alternatives for the collection of business tax accounts; and,
  - (ii) Review the current process of utilizing the Assessment Review Board to hear tax appeals under Section 442 of the Municipal Act with the City Clerk and City Solicitor and prepare a report on the feasibility of transferring this process to the City of Hamilton.
- (b) That the City of Hamilton's tax collection procedures be amended to include the following:

(i) Business Taxes:

- (1.) The implementation of in-house collection procedures including further notices/telephone calls by staff for all accounts in excess of \$5,000. subsequent to final notice to business taxpayers and prior to the accounts being forwarded to the collection agency; and,
- (2.) Utilize the services of bailiffs to make seizures, if necessary, where the collection agency is unable to enforce collection and the business continues to operate.

(ii) Realty Taxes:

- (1.) Implementation of a "final notice" in the form of a personalized letter from the Treasurer just prior to proceeding with the registration of properties in arrears; and,
- (2.) Implementation of an additional notice from the Treasurer to property owners with arrears in excess of one years taxes.

19. That the City of Hamilton continue its present practice of monthly levy payments to the Boards of Education.
20. That in keeping with past tradition, the Citizens of Hamilton be encouraged to conduct their Halloween activities on Saturday, 1993 October 30th.
21. That the Tracking Form used by members of the public interested in applying to Committees, Boards and Commissions, as adopted by City Council on 1992 September 29 be amended as follows:
  - (a) That Section 3 be changed from "Are you a member of a Visible Minority? (This refers to Race/Colour)" to "Please identify yourself as one of the following: (This refers to Race/Colour)"; and,
  - (b) That Section 4 be amended to delete the words "(please specify)" after the word "yes" and that reference to the individual disabilities be deleted; and,
  - (c) That all references made to Section 13 on the Ontario Human Rights Code be changed to Section 14 of the Ontario Human Rights Code.



1993 September 28

22. That the City of Hamilton settle Ontario (General Division) Action No. 6893/89 on the following terms:
- (a) That the City pay to the Plaintiffs, John Davidson, Harry Davidson and Carol Davidson, \$19,200., inclusive of damages, interest, disbursements and costs; and,
  - (b) That the Plaintiffs be required to execute a Full and Final Release of the City of Hamilton in a form satisfactory to the City Solicitor; and,
  - (c) That the Plaintiffs dismiss Ontario Court (General Division) Action No. 6893/89 as against the City of Hamilton without costs.
23. That Outstanding Business Taxes in the amount of \$356,393.46 be written-off in accordance with Section 441 of The Municipal Act, R.S.O. 1990 and charged to Account CH53401 24106, Tax Write-Offs.
24. That Outstanding Accounts Receivables totalling \$27,751.69 be written off and charged to Account CH 15401 00001.
25. That leave be granted to introduce the following Bills:
- (a) Bill H-54      A By-law to Amend Market By-law No. 92-310 as Amended by By-law No. 93-151 respecting Market Hours.
  - (b) Bill H-55      A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder  
Secretary  
1993 September 23**

## THE CORPORATION OF THE CITY OF HAMILTON

## APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Margaret Reilly	I	Lifeguard II (12-I)	Culture & Recreation	Replacing Mr. B. Broker - promoted, June 28/93 New Position Council Approved May 26/92	\$31,722.08 to \$34,424.00	July 05/93
Mr. Frank Shaw	I	Traffic Signal Foreman/Woman (12B)	Traffic	New Position Council Approved July 27/93	\$36,303.80 to \$47,997.04	Aug. 30/93
Mr. Edwin Zvirbulis	I	Gardener II (D14)	Public Works	Replacing Mr. M. Hunter Transferred to Forester II, May 25/93 New Position Council Approved January 28/93	\$36,052.64	Aug. 16/93

Appendix 'A' referred  
to in Section 8 of the  
EIGHTEENTH Report of the  
Finance and Administration  
Committee for 1993.

Prepared September 15/93

Status

Internal - I

External - E

## THE CORPORATION OF THE CITY OF HAMILTON

## APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Frank Genovese	I	House Plan Examiner (19-A)	Building	Replacing Mr. D. Picard - promoted, Aug. 17/92 New Position Council Approved March 21/91	\$36,392.72 to \$42,130.92	Aug. 16/93
Mr. Michael Hunter	I	Forester II (D-208)	Public Works	Replacing Mr. P. Lecomte - returned to former position, Aug. 11/93 New Position Council Approved January 28/93	\$38,240.80	Aug. 11/93
Mr. Zoran Krieto	I	Customer Service Representative (21-D)	Building	Replacing Mr. G. Robis - promoted, July 17/93 C. Hewitt terminated July 19/93	\$37,883.04 to \$43,825.60	Aug. 16/93

Prepared September 15/93

Status

Internal - I

External - E

THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Gary Bartlett	Firefighter I	Fire	Retired	31 years, 4 months	Aug. 31/93
Mr. Alberto Felice	Foreman I	Public Works	Retired	29 years, 4 months	Sept. 13/93
Mr. Sebastino Ragonetti	Concrete Finisher	Public Works	Deceased	7 years, 3 months	Aug. 19/93

Prepared September 15/93

Glossary of Terms

Terminated - long term disability  
- discharge  
- downsizing  
- redundant

Resigned - personal betterment  
- personal reasons

## **FAIR WAGE POLICY**

Appendix "B" referred  
to in Section 15 of the  
**EIGHTEENTH** Report of the  
Finance and Administration  
Committee for **1993**.

### **POLICY STATEMENT**

On all construction contracts with the City, every contractor and sub-contractor shall pay or provide wages, benefits and hours of work to their employees, in accordance with the Fair Wage Policy and the Fair Wage Schedule of The Corporation of the City of Hamilton.

### **DEFINITIONS**

In this Policy:

- (a) "benefits" means a pension plan or RRSP's (or equivalent), major medical plans, dental plans, vacation entitlement and public holiday entitlement;
- (b) "contract" means any construction contract entered into between the City and a contractor and the various sub-contracts to that contract;
- (c) "contractor" means any person, firm or corporation having a contract with the City for the performance of construction work but does not include any person, firm or corporation that only supplies materials for the contract;
- (d) "employees" means those persons employed by the contractor or sub-contractor in positions, classifications, trades or any combination thereof identified in the Fair Wage Schedule, for the performance of construction work on a contract with the City;
- (e) "Fair Wage Schedule" means the schedule of wages, benefits and hours of work for the performance of construction work on all City contracts, as approved and as amended from time to time by City Council;
- (f) "hours of work" means the regular hours of work per day and week and shall include a provision for the payment of overtime beyond such regular hours, as per the Employment Standards Act of Ontario.
- (g) "City" means The Corporation of the City of Hamilton, its officers, officials, employees and agents or any of them;
- (h) "City Council" means the Council of The Corporation of the City of Hamilton;



- (i) "sub-contractor" means any person, firm or corporation performing construction work under an agreement with a contractor having a contract with the City or an agreement under the contractor with another sub-contractor for the performance of construction work but does not include any person, firm or corporation that only supplies materials for the contract; and
- (j) "wages" means the basic hourly rate of pay for each position, classification and trade as per the Fair Wage Schedule.

## PROCEDURES

1. (a) The City's Commissioner of Human Resources or designate will prepare and review the Fair Wage Schedule from time to time and recommend to the appropriate Standing Committee of City Council, those amendments to the Fair Wage Schedule which are required to reflect the prevailing wages, benefits and hours of work in the construction industry in the geographical area of the City.  
  
(b) The City's Director of Property or designate will review the Fair Wage Policy from time to time and recommend to the appropriate Standing Committee of City Council any required amendments to the Fair Wage Policy.
2. The City's Director of Property or designate shall provide to every person bidding on City construction contracts a copy of the Fair Wage Policy and the Fair Wage Schedule. The contractor and its sub-contractor shall not be responsible for any Fair Wage Schedule rate increases which occur after the closing of the tender for the City construction contract on which the contractor is the successful bidder.
3. For all construction contracts with the City, the contractor shall provide to the City, in a form acceptable to the City Solicitor or designate, a sworn statement confirming that the contractor and its sub-contractor are in compliance with the Fair Wage Policy and the Fair Wage Schedule. This sworn statement shall be provided to the City after substantial performance of the contract (as defined in the Construction Lien Act of Ontario) and prior to release of the holdback. The City reserves the right to not release any holdback on a contract until such contractor's sworn statement of compliance is received and deemed to be satisfactory by the City's Treasurer or designate.
4. (a) A contractor is fully responsible for ensuring that all of its sub-contractors comply with the Fair Wage Policy and the Fair Wage Schedule. A sub-contractor is fully responsible for ensuring that all of its sub-contractors comply with the Fair Wage Policy and the Fair Wage Schedule.

- (b) A contractor must provide all of its sub-contractors with a copy of the Fair Wage Policy and Fair Wage Schedule before any construction work is performed by the sub-contractors.
- 5. Any person who has an objection to the administration of the Fair Wage Policy or the Fair Wage Schedule, or both, may make a written request to appear and to make submissions before the appropriate Standing Committee of City Council and such Standing Committee may, in its sole discretion, grant or refuse such request.

### POSTING

All contractors must post in a conspicuous place on every construction project site, in a location satisfactory to the City's Director of Property or designate, a copy of the Fair Wage Policy and the Fair Wage Schedule supplied to it by the City and which will include a telephone number by which any inquiry regarding the Fair Wage Policy or the Fair Wage Schedule, or both may be made to the City's Commissioner of Human Resources or designate.

### RECORDS

- 1.
  - (a) The contractor must keep records of the names, addresses, wages paid, benefits paid or provided and hours worked for all of its employees.
  - (b) The contractor shall make these records available for inspection by the City upon request by the City.
- 2. The contractor shall, in any agreement with a sub-contractor, require the sub-contractor to,
  - (a) keep records of the names, addresses, wages paid, benefits paid or provided and hours worked for all of its employees;
  - (b) make these records available for inspection by the City upon request by the City; and
  - (c) require its sub-contractor to assume the same obligations in relation to their own employees.

## COMPLAINTS

1. Any person may submit a complaint to the City alleging non-compliance with the Fair Wage Policy or the Fair Wage Schedule, or both, by any contractor or sub-contractor performing construction work on a City contract. All complaints must be submitted in writing on a completed "Fair Wage Complaint Form", to the City's Commissioner of Human Resources or designate, at the earliest time but no later than forty-five (45) days following substantial performance of the:
  - (a) relevant City construction contract where a complaint is being made against a contractor; or
  - (b) relevant sub-contract to a City construction contract where a complaint is being made against a sub-contractor.
2. Upon receipt of a completed "Fair Wage Complaint Form" by the City's Commissioner of Human Resources or designate, the City shall take such action as it deems is necessary to determine whether the contractor and sub-contractor involved or named in the complaint is in compliance with the Fair Wage Policy and the Fair Wage Schedule. Any action deemed necessary by the City shall be commenced within thirty (30) calendar days of receipt of a completed "Fair Wage Complaint Form" by the City's Commissioner of Human Resources or designate.
3. The City's Commissioner of Human Resources or designate shall inform the complainant and any contractor or sub-contractor involved or named in the complaint, of the results of the City's determination of contractor's and/or sub-contractor's compliance or non-compliance with the Fair Wage Policy or the Fair Wage Schedule, or both.
4. The City shall make every effort to safeguard the confidentiality of each complainant's identity. However, this information is subject to the provisions of the Municipal Freedom of Information and Protection of Privacy Act of Ontario.

## RANDOM INSPECTION AND AUDITS

1. The City retains the right to inspect and audit the records (as referred to in the RECORDS section of this Fair Wage Policy) of the contractor or sub-contractor at any time during the period of the contract and at any time thereafter as deemed necessary by the City. The contractor shall supply certified copies of any such records whenever requested by the City.



**COMPLIANCE**

1. A contractor or sub-contractor shall be in compliance with the wages requirements of the Fair Wage Policy when it pays to its employees wages equal to or greater than the amount set out in the Fair Wage Schedule.
2. A contractor or sub-contractor shall be in compliance with the benefits requirements of the Fair Wage Policy when the contractor or sub-contractor:
  - (a) provides to its employees a pension plan, RRSP's or equivalent (yearly or other bonuses and profit sharing do not qualify as an equivalent);  
  
or  
  
pays to its employees, in addition to the wages as set out in the Fair Wage Schedule, a dollar amount, on an hourly basis, equal to or greater than the amount for a pension plan, RRSP's or equivalent as set out in the Fair Wage Schedule; and
  - (b) provides to its employees a major medical plan and a dental plan;  
  
or  
  
pays to its employees, in addition to the wages as set out in the Fair Wage Schedule, a dollar amount, on an hourly basis, equal to or greater than the amount for a major medical plan and a dental plan as set out in the Fair Wage Schedule; and
  - (c) provides to its employees a vacation and public holiday entitlement which meets the minimum requirements of the Employment Standards Act of Ontario;  
  
or  
  
pays to its employees, in addition to the wages as set out in the Fair Wage Schedule, a vacation and public holiday entitlement which meets the minimum requirements of the Employment Standards Act of Ontario.
3. A contractor or sub-contractor shall be in compliance with the hours of work requirements of the Fair Wage Policy when the contractor or sub-contractor provides to its employees overtime pay for those hours worked in excess of the regular daily and weekly hours of work (as per the Employment Standards Act of Ontario), at an amount not less than one and one half times the wages as set out in the Fair Wage Schedule. Notwithstanding that a contractor or sub-contractor pays wages in excess

of the rates as set out in the Fair Wage Schedule, the contractor or sub-contractor shall not, in computing overtime wages payable to an employee, set off against such overtime wages any part of the wages earned by the employee in respect of their regular work period.

### CONSEQUENCES OF NON-COMPLIANCE

1. The City's Director of Property or designate upon determining that a contractor or sub-contractor is in non-compliance of the Fair Wage Policy or the Fair Wage Schedule, or both:
  - (a) shall advise the contractor or sub-contractor, in writing, that it has been determined that the contractor or sub-contractor is in non-compliance and that the contractor or sub-contractor is required to comply immediately; and
  - (b) may withhold the amount of funds by which the contractor or sub-contractor has been determined to be in non-compliance from any payment owed by the City to the contractor until such time as the contractor or sub-contractor complies; and
  - (c) shall assess the cost of the City's inspection, audit or other action as deemed necessary by the City as a result of such determination of non-compliance of the contractor and/or sub-contractor and may deduct such costs from any payment owed by the City to the contractor; and

the amount of funds and costs withheld or deducted in accordance with #1(b)&(c) of the CONSEQUENCES OF NON-COMPLIANCE shall not exceed any payments owed by the City to the contractor under the contract or any payments owed by the contractor to the sub-contractor determined to be in non-compliance under the contract.

2. Where a contractor or sub-contractor has been determined to be in non-compliance with the Fair Wage Schedule for the first time in a five (5) year period, the City's Director of Property or designate may require such contractor or sub-contractor, on the next three (3) City contracts on which the contractor or sub-contractor performs construction work, to submit an accountant's report which verifies the contractor's or sub-contractor's compliance with the Fair Wage Policy and the Fair Wage Schedule. Such accountant's report shall be in a form satisfactory to the City's Treasurer or designate and shall be submitted after substantial performance of the contract (as defined in the Construction Lien Act of Ontario) and prior to the release of the holdback.





3. Where a contractor or sub-contractor has been determined to be in non-compliance with the Fair Wage Schedule for a second or subsequent time within a five (5) year period from the date of the first determination of non-compliance by the City's Director of Property or designate, the City, as approved by City Council, may:
  - (a) refuse to accept bids, quotations or proposals from such contractor on City construction contracts, for a period of two (2) years from the date of City Council approval, save and except any contract the contractor may currently have with the City.
  - (b) not allow such sub-contractor to perform any construction work on any City construction contract, for a period of two (2) years from the date of City Council approval, save and except any contract on which the sub-contractor may currently be performing construction work.
4. Where a contractor or sub-contractor has been determined to be in non-compliance of the Fair Wage Policy by the City's Director of Property or designate, such contractor or sub-contractor may be subject to the same consequences as stated above, in #3 of the CONSEQUENCES OF NON-COMPLIANCE, as approved by City Council.
5. The City's Director of Property or designate shall, upon request, make available a list of all contractors and sub-contractors who have been determined to be in non-compliance with the Fair Wage Policy or the Fair Wage Schedule, or both and are subject to restrictions in accordance with #2, #3, #4, of the CONSEQUENCES OF NON-COMPLIANCE.
6. The City's Director of Property or designate will require a contractor or sub-contractor to substitute, at its own cost, any sub-contractor who, on the first day that the tender for the relevant City construction contract is available for pick-up, is named on the list referred to in #5 of the CONSEQUENCES OF NON-COMPLIANCE above, and is identified as not being allowed to perform any construction work on a City construction contract.
7. The City is not in any way liable, obligated or responsible to any employee, sub-contractor, contractor or any other person for the payment of any monies not paid by a contractor or sub-contractor in accordance with the Fair Wage Policy or the Fair Wage Schedule, or both, and the City assumes no responsibility to such employee, sub-contractor, contractor or any other person for the administration and enforcement of the Fair Wage Policy or the Fair Wage Schedule, or both.

\* THIS POLICY SHALL BE READ WITH SUCH GENDER OR NUMBER OR CORPORATE STATUS AS THE CONTEXT MAY REQUIRE.



**BILLS**

**CITY COUNCIL**

**1993 SEPTEMBER 28**

GOVERNMENT DOCUMENTS

SEP - 1993

URBAN M





**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 93-**

**TO INCORPORATE PARTS 1 & 2, PLAN 62R-11178  
INTO RAMBO STREET**

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Rambo Street by incorporating within its limits the lands described below;

**AND WHEREAS** the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Rambo Street.

Part of Lot 3, Registered Plan 1059, designated as Parts 1 & 2, on Plan 62R-11178.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

**PASSED** this

day of

A.D. 1993.

City Clerk

Mayor

**TO INCORPORATE BLOCK 39, PLAN 62M-715  
INTO ACADIA DRIVE**

**Mayor**

**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 93-**

**TO INCORPORATE BLOCK 40, PLAN 62M-715  
INTO ELITE DRIVE**

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Elite Drive by incorporating within its limits the lands described below;

**AND WHEREAS** the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Elite Drive.

**Part of Parcel Reserves -1, Section 62M-715.**

Being all of Block 40, Plan 62M-715.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Being Part of the Parcel.

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

**PASSED** this                      day of                      A.D. 1993.

City Clerk

Mayor

## 4

**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 93-**

**TO INCORPORATE A PORTION OF PARTS 7 & 8, PLAN 62R-8380  
AND PART 2, PLAN 62R-9499  
INTO HIGHRIDGE AVENUE**

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Highridge Avenue by incorporating within its limits the lands described below;

**AND WHEREAS** the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Highridge Avenue.

Part of Lot 24, Concession 2, in the geographic township of Saltfleet, designated as;

- a) All of Part 7, on Plan 62R-8380 (excepting the northerly 25.32m thereof),
- b) All of Part 8, on Plan 62R-8380 (excepting the northerly 25.32m thereof), and
- c) All of Part 2, on Plan 62R-9499.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.



**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 93 -**

**To Authorize:**

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of finished roadway and concrete curbs on DULGAREN STREET from Upper Sherman Avenue to approx. 72m easterly, as described in Schedule "A";
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Transportation/Environmental Services.

**WHEREAS** the Council of The Corporation of the City of Hamilton did adopt Item 51 of the 8th Report of the Transport & Environment Committee on June 29, 1993;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton did adopt Item 13 of the 13th Report of the Finance & Administration Committee on June 29, 1993;

**AND WHEREAS** it is expedient to proceed without petition to undertake, as local improvements, the works hereinafter described;

**AND WHEREAS** notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act, R.S.O. 1980;

**AND WHEREAS** a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

**AND WHEREAS** the Council has obtained reports, estimates and statements required for the undertaking of the said works;

**AND WHEREAS** Ontario Regulation 710/92 enacted under the authority of the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require the approval of the Ontario Municipal Board;

**AND WHEREAS** the City Treasurer has confirmed that the financial commitments, liabilities and debts of the project listed herein together with the City of Hamilton's other financial obligations and debts do not exceed the City's debt and financial obligation limit prescribed by Ontario Regulation 710/92 (in force as of January 9, 1993) and that the approval of the Ontario Municipal Board with respect to the project listed herein is therefore not required;

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$62,300.00.
2. The share or portion of the estimated cost of the works in the amount of \$26,950.00 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
  - (a) to the extent sufficient to provide an amount not exceeding \$26,950.00;
  - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Transportation/Environmental Services is hereby authorized to:
  - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
  - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

**PASSED** this                      day of                      , A.D. 1993.

CITY CLERK

MAYOR

SCHEDULE "A"

The construction of finished roadway and concrete curbs on DULGAREN STREET from Upper Sherman Avenue to approx. 72m easterly at the costs not exceeding those set out below:

City's Share	\$ 35,350.00
Owners' Share	<u>26,950.00</u>
TOTAL ESTIMATED COST	<u>\$ 62,300.00</u>
Estimated Cost per metre frontage	\$ 275.00
Fifteen (15) annual instalments	

## BY-LAW NO. 93 -

## TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 26 (No Parking Areas)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding to **Section A (No Parking Anytime)** the following items, namely:-

"Solomon	South and West	commencing at a point 126 feet east of Jamie Ann to a point 180 feet southeasterly therefrom
Harrison	South	Kenilworth to Harmony
Montmorency (North leg)	South	East leg of Montmorency to west leg of Montmorency
Crosthwaite	West	Britannia to Cannon".

and by deleting therefrom the following items, namely:-

"Herkimer	North	Kent to 48 ft. west
Herkimer	South	Kent to 46 ft. west
Harrison	North	Kenilworth to Harmony".

2. **Schedule 26A (No Parking Areas - Monday to Friday)** is hereby amended by deleting from **Section N (No Parking 9:00 a.m. to 12:00 noon)** the following items, namely:-

"East 45th	West	Brucedale to Kerr
Kerr	Both	East 44th to Greenmeadow".

3. **Schedule 27 (Alternate Side Parking)** is hereby amended by deleting therefrom the following item, namely:-

"Montmorency Drive (North Leg) End to End	West	East
Crosthwaite Avenue Main Street to Britannia Avenue	East	West".

and by adding thereto the following item, namely:-

"Crosthwaite Main to Cannon	East	West".
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4. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

"Crosthwaite	East	Britannia and Cannon	Anytime
Bond	East	52 feet south of Marion to a point 22 feet southerly therefrom	Anytime





**THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:**

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 93-

TO CHANGE THE NAME OF GONDOLA STREET TO DUNCAIRN CRESCENT

**WHEREAS** Section 210, paragraph 111 of the Municipal Act, R.S.O. 1990, Chapter M.45 provides that the council of a municipality may pass by-laws to change names of highways;

**AND WHEREAS** notice of this by-law was published in The Spectator once a week for four successive weeks prior to the passing of this by-law, in accordance with the said Act;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, through its Planning and Development Committee, has heard all persons who applied to be heard no matter whether in objection to or in support of this by-law.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The name of the street municipally known as Gondola Street, more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby changed to Duncairn Crescent.
2. This by-law shall come into force and take effect on the day that a copy of it, certified under the hand of the City Clerk and the seal of The Corporation of the City of Hamilton, has been registered in the Land Registry Office for the Registry Division of Wentworth (No. 62).

**PASSED** this

day of

A.D. 1993

CITY CLERK

MAYOR

## SCHEDULE "A"

To

By-law No. 93-

FIRSTLY

Part of Parcel Streets-1, Section M-129

All of Gondola Street, Plan M-129, being part of the Parcel

SECONDLY

Part of Parcel Streets-1, Section 62M-720

All of Gondola Street, Plan 62M-720, being part of the Parcel

THIRDLY

All of Gondola Street as established by City of Hamilton By-laws Numbers 92-291 and 93-158 (as amended), registered as LT 348136, described as,

- (a) Part of Parcel Reserves-1, Plan M-129, being All of Block "FX", Plan M-129, being part of the Parcel (By-law No. 92-291), and
- (b) Part of Parcel 18-6, Section Bar.7, being part of Lot 18, Concession 7, in the former geographic township of Barton, designated as Part 3, Plan 62R-12372, being part of the Parcel (By-law No. 93-158).

City of Hamilton

Regional Municipality of Hamilton-Wentworth

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Market By-law No. 92-310  
As Amended by By-law No. 93-151

Respecting:

**MARKET HOURS**

**WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 92-310 on the 8th day of December 1992 to regulate the Hamilton Farmers' Market;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton in adopting Section 16 of the 13th Report of the Finance and Administration Committee at its meeting held on the 26th day of May 1992 recommended that By-law No. 81-180, as amended, be further amended to change the hours of operation for the Hamilton Farmers' Market.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 93-151 on the 29th day of June 1993 to change the hours of operation for the Hamilton Farmers' Market;

**AND WHEREAS** it is expedient to amend By-law No. 93-151 to correct a typographical error as hereinafter provided.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Paragraph 2 of Subsection 5a. (1) of By-law No. 92-310, as amended by Section 1 of By-law No. 93-151, is further amended by repealing and substituting therefor the following:

"2. From 9:00 o'clock in the forenoon to 6:00 o'clock in the afternoon of the same day on Friday; and"

2. In all other respects By-law No. 93-151 is hereby confirmed, unchanged.

PASSED this                      day of                      A.D. 1993

CITY CLERK

MAYOR



BY-LAW NO. 93 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 28TH DAY OF SEPTEMBER A.D., 1993.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this            28th                            day of    September            A.D. 1993

CITY CLERK

MAYOR











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